

Volume 33, Number 9

Pages 891-962

May 1, 2008

SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



ROBIN CARNAHAN  
SECRETARY OF STATE

MISSOURI  
REGISTER

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The *Missouri Register* is published semi-monthly by

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ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO  
Subscription fee: \$56.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

**MISSOURI REGISTER**  
Office of the Secretary of State  
Administrative Rules Division  
PO Box 1767  
Jefferson City, MO 65102

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# MISSOURI REGISTER



May 1, 2008

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|---|---|--|--|
| February 1, 2008<br>February 15, 2008   | March 3, 2008<br>March 17, 2008         | March 31, 2008<br>March 31, 2008         | April 30, 2008<br>April 30, 2008         |
| March 3, 2008<br>March 17, 2008         | April 1, 2008<br>April 15, 2008         | April 30, 2008<br>April 30, 2008         | May 30, 2008<br>May 30, 2008             |
| April 1, 2008<br>April 15, 2008         | May 1, 2008<br>May 15, 2008             | May 31, 2008<br>May 31, 2008             | June 30, 2008<br>June 30, 2008           |
| May 1, 2008<br>May 15, 2008             | June 2, 2008<br>June 16, 2008           | June 30, 2008<br>June 30, 2008           | July 30, 2008<br>July 30, 2008           |
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| July 1, 2008<br>July 15, 2008           | August 1, 2008<br>August 15, 2008       | August 31, 2008<br>August 31, 2008       | September 30, 2008<br>September 30, 2008 |
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| September 2, 2008<br>September 15, 2008 | October 1, 2008<br>October 15, 2008     | October 31, 2008<br>October 31, 2008     | November 30, 2008<br>November 30, 2008   |
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| November 3, 2008<br>November 17, 2008   | December 1, 2008<br>December 15, 2008   | December 31, 2008<br>December 31, 2008   | January 30, 2009<br>January 30, 2009     |
| December 1, 2008<br>December 15, 2008   | January 2, 2009<br>January 16, 2009     | January 29, 2009<br>January 29, 2009     | February 28, 2009<br>February 28, 2009   |

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

| Title           | Code of State Regulations | Division                | Chapter                      | Rule                           |
|-----------------|---------------------------|-------------------------|------------------------------|--------------------------------|
| 1<br>Department | CSR                       | 10-<br>Agency, Division | 1.<br>General area regulated | 010<br>Specific area regulated |

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**T**he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2007.

## EXECUTIVE ORDER 08-10

WHEREAS, the Director of the State Emergency Management Agency has advised me that severe storms are causing flooding along the Missouri and Mississippi Rivers and the tributaries, as well as rivers and tributaries in the southern half of Missouri; and

WHEREAS, interruptions of public services are occurring as a result of the severe weather that began on March 17, 2008; and

WHEREAS, the severe weather that began on March 17, 2008, has created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local and other established agencies; and

WHEREAS, the resources of the state of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

WHEREAS, an invocation of the provisions of Section 44.100 and 44.110, RSMo, will be required to ensure the safety and welfare of the citizens of the state.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri. I do hereby direct that the Missouri State Emergency Operations Plan be activated.

I further authorize the use of state agencies to provide assistance, as needed.

This order shall terminate on April 18, 2008, unless extended in whole or part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 18<sup>th</sup> day of March, 2008.

A handwritten signature in black ink, appearing to read "Matt Blunt".

**Matt Blunt**  
**Governor**

ATTEST:

A handwritten signature in black ink, appearing to read "Robin Carnahan".

**Robin Carnahan**  
**Secretary of State**

**EXECUTIVE ORDER  
08-11**

WHEREAS, I have been advised by the Director of the State Emergency Management Agency that severe weather systems are causing flooding along the Missouri and Mississippi Rivers and the tributaries, as well as rivers and tributaries in the southern half of Missouri and; and

WHEREAS, interruption of public services are occurring as a result of the severe weather and flooding that began on March 17, 2008; and

WHEREAS, the severe weather and flooding that began on March 17, 2008, has created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local and other established agencies; and

WHEREAS, the resources of the state of Missouri may be needed to assist affected jurisdictions and to help relieve the safety and welfare of our fellow Missourians; and

WHEREAS, an invocation of the provisions of Section 44.100 and 44.110, RSMo, will be required to ensure the safety and welfare of the citizens of the state.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Section 41.480.2, RSMo, order and direct the Adjutant General of the State of Missouri, or his designee, to call and order forthwith into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri to protect life and property, and it is further ordered and directed that the Adjutant General or his designee, and through him, the commanding officer of any unit or other organization of such organized militia so called into active service take such action and employ such equipment as may be necessary in support of civilian authorities, and provide such assistance as may be authorized by the Governor of this state.

This order shall terminate on April 18, 2008, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 18<sup>th</sup> day of March, 2008.

A handwritten signature in black ink, appearing to read "Matt Blunt".

**Matt Blunt**  
**Governor**

**ATTEST:**

A handwritten signature in black ink, appearing to read "Robin Carnahan".

**Robin Carnahan**  
**Secretary of State**

**EXECUTIVE ORDER**  
**08-12**

WHEREAS, the Director of the State Emergency Management Agency has advised me that severe storms are causing flooding along the Missouri and Mississippi Rivers and the tributaries, as well as rivers and tributaries in the southern half of Missouri; and

WHEREAS, interruptions of public services are occurring as a result of the severe weather that began on March 17, 2008; and

WHEREAS, the severe weather that began on March 17, 2008, has created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local and other established agencies; and

WHEREAS, the Missouri Department of Natural Resources is charged by law with protecting and enhancing the quality of Missouri's environment and with enforcing a variety of environmental rules and regulations; and

WHEREAS, in order to respond to the emergency and expedite the cleanup and recovery process, it is necessary to adjust certain environmental rules and regulations on a temporary and short-term basis.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by Chapter 44, RSMo, do hereby issue the following order:

The Director of the Missouri Department of Natural Resources is vested with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the interests of the public health and safety during the period of the emergency and the subsequent recovery period.

This order shall terminate on May 31, 2008, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 21<sup>st</sup> day of March, 2008.

A handwritten signature in black ink that reads "Matt Blunt".

**Matt Blunt**  
**Governor**

ATTEST:

A handwritten signature in black ink that reads "Robin Carnahan".

**Robin Carnahan**  
**Secretary of State**

**EXECUTIVE ORDER**  
**08-13**

WHEREAS, the well-being and development of young people is one of the highest objectives of our state government; and

WHEREAS, a large and growing number of Missouri's young people grow up without sufficient positive role models, and on any given day there are an estimated 60,000 children who have a parent in a Missouri state prison; and

WHEREAS, responsible and accountable school-based mentoring programs, such as Big Brothers Big Sisters, offer a well-established means of providing positive adult influences; and

WHEREAS, research shows that school-based mentoring for children has resulted in improvements in academic performance, positive attitudes toward school, higher levels of self-confidence, relationships with peers, and high school graduation rates; and

WHEREAS, the recruitment of responsible, caring adults to fill this important need for mentors is in the best interest of all Missourians; and

WHEREAS, the state of Missouri's governmental workforce constitutes a large body of highly capable public servants who represent all areas of the state; and

WHEREAS, in 2007, Governor Blunt established a pilot program, the Missouri Mentor Initiative, which has resulted in hundreds of Missouri children receiving one-on-one attention and mentoring; and

WHEREAS, the Missouri Mentor Initiative has experienced great success, resulting in many local governments considering allowing employees this same opportunity; and

WHEREAS, the Missouri Mentor Initiative initially enabled up to 200 state employees to invest time away from their official duties to engage in mentoring Missouri youth; and

WHEREAS, with the program's capacity nearly filled, Missouri youth will benefit from the availability of more potential mentors; and

WHEREAS, I am committed to ensuring that the state of Missouri is at the forefront in implementing sound and innovative policies to help enhance the lives of the state's youth.

NOW, THEREFORE, I, PETER KINDER, LIEUTENANT GOVERNOR OF THE STATE OF MISSOURI, upon express delegation of Matt Blunt, Governor of the state of Missouri, and by virtue of the authority vested in him by the Constitution and the laws of the state of Missouri, do hereby expand the number of state employees allowed to participate in the Missouri Mentor Initiative to 300 full-time state employees who are eligible for one hour per week of paid approved work to mentor in Missouri public primary and secondary schools for up to 40 hours annually. I will remain responsible for coordinating and managing the initiative. Employee eligibility to participate in the program will be subject to rules established by the state of Missouri and its departments and agencies.



ATTEST:

A handwritten signature of Robin Carnahan.

**Robin Carnahan**  
Secretary of State

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 27<sup>th</sup> day of March, 2008.

A handwritten signature of Peter Kinder.

**Peter Kinder**  
Lieutenant Governor

**EXECUTIVE ORDER**  
**08-14**

Whereas, the Director of the State Emergency Management Agency has advised me that several severe storm systems causing damages associated with tornados, high winds, hail, flooding, and flash-flooding have impacted communities throughout the state of Missouri; and

Whereas, the severe weather that began on March 31, 2008, and continuing, has created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local and other established agencies; and

Whereas, the citizens and communities of Missouri are yet recovering from the effects of the January, February, and March 2008 major disasters; and

Whereas, the resources of the state of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

Whereas, an invocation of the provisions of Section 44.100 and 44.110 RSMo. will be required to ensure the protection of the safety and welfare of the citizens of the state.

Now, Therefore, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Sections 44.100 and 44.110 RSMo. do hereby declare that a State of Emergency exists in Missouri. I do hereby direct that the Missouri State Emergency Operations Plan be activated.

I further authorize the use of state agencies to provide assistance, as needed.

This order shall terminate on May 1, 2008, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 1<sup>st</sup> day of April, 2008.

A handwritten signature in black ink that reads "Matt Blunt".

Matt Blunt

**Matt Blunt**  
**Governor**

**ATTEST:**

A handwritten signature in black ink that reads "Robin Carnahan".

Robin Carnahan

**Robin Carnahan**  
**Secretary of State**

**EXECUTIVE ORDER**  
**08-15**

Whereas, the Director of the State Emergency Management Agency has advised me that several severe storm systems causing damages associated with tornados, high winds, hail, flooding, and flash-flooding have impacted communities throughout the state of Missouri; and

Whereas, the severe weather that began on March 31, 2008, and continuing, has created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local and other established agencies; and

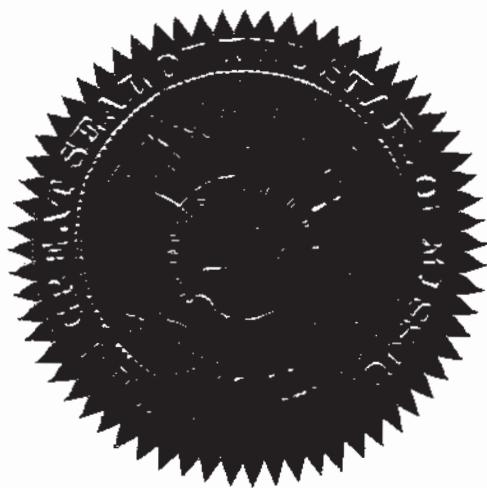
Whereas, the citizens and communities of Missouri are yet recovering from the effects of the January, February, and March 2008 major disasters; and

Whereas, the resources of the state of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

Whereas, an invocation of the provisions of Sections 44.100 and 44.110 RSMo. will be required to ensure the protection of the safety and welfare of the citizens of the state.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Section 41.480.2 RSMo. order and direct the Adjutant General of the State of Missouri, or his designee, to call and order forthwith into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and it is further ordered and directed that the Adjutant General or his designee, and through him, the commanding officer of any unit or other organization of such organized militia so called into active service take such action and employ such equipment as may be necessary in support of civilian authorities, and provide such assistance as may be authorized by the Governor of this state.

This order shall terminate on May 1, 2008, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 1<sup>st</sup> day of April, 2008.

A handwritten signature of Matt Blunt in black ink, followed by a horizontal line.

Matt Blunt

Matt Blunt  
Governor

ATTEST:

A handwritten signature of Robin Carnahan in black ink, followed by a horizontal line.

Robin Carnahan

Robin Carnahan  
Secretary of State

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbol under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:  
**Boldface text indicates new matter.**  
*(Bracketed text indicates matter being deleted.)*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.205 Permits Required; Exceptions.** The commission proposes to amend subsection (1)(N).

**PURPOSE:** *This amendment extends certain permit exemptions to non-resident military veterans who have a service-related disability of sixty percent (60%) or greater, or who were prisoners of war during military service; and corrects a reference to the U.S. Department of Veterans Affairs, no longer called the Veterans Administration.*

(1) Any person who chases, pursues, takes, transports, ships, buys, sells, possesses, or uses wildlife in any manner must first obtain the

prescribed hunting, fishing, trapping, or other permit, or be exempted under 3 CSR 10-9.110, with the following exceptions:

(N) Any honorably discharged *[resident]* **military** veteran having a service-related disability of sixty percent (60%) or greater, or who was a prisoner of war during military service, may take fish, live bait, clams, mussels, turtles, and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed), and may take wildlife as provided in Chapter 7 without permit (except deer and turkey hunting permits and the Migratory Bird Hunting Permit as prescribed); provided, while hunting or fishing s/he carries a certified statement of eligibility from the *[Veterans Administration]* U.S. **Department of Veterans Affairs**.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 21, 2008.

**PUBLIC COST:** *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with David W. Erickson, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.220 Resident and Nonresident Permits.** The commission proposes to amend section (1), add a new section (4), and renumber subsequent sections.

**PURPOSE:** *This amendment provides resident permit privileges to military veterans who have a service-related disability of sixty percent (60%) or greater, or who were prisoners of war during military service.*

(1) A resident permit shall be limited to persons who do not claim resident privileges in another state or country and whose actual residence and legal domicile have both been in the state of Missouri for at least thirty (30) days last *[past]* passed before the purchase of such permit as provided in this rule.

(4) Any honorably discharged military veteran having a service-related disability of sixty percent (60%) or greater, or who was a prisoner of war during military service, may purchase resident permits; provided, while purchasing and exercising permit privileges such person must carry a certified statement of eligibility from the U.S. **Department of Veterans Affairs**.

*[(4)](5)* Immigrants who possess an I-551 Resident Alien Card from the U.S. Immigration and Naturalization Service may receive resident permit privileges, provided they meet the residency requirements set out in section (1) of this rule.

*(15)(6)* All persons who do not meet these qualifications shall possess a nonresident permit. Attendance at a Missouri school in itself does not constitute residency in the state.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 18, 1971, effective Dec. 31, 1971. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 21, 2008.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with David W. Erickson, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 10—Air Conservation Commission**  
**Chapter 6—Air Quality Standards, Definitions, Sampling**  
**and Reference Methods and Air Pollution Control**  
**Regulations for the Entire State of Missouri**

**PROPOSED AMENDMENT**

**10 CSR 10-6.070 New Source Performance Regulations.** The commission proposes to amend subsection (1)(A) and section (3). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, [www.dnr.mo.gov/regs/ruleindex.htm](http://www.dnr.mo.gov/regs/ruleindex.htm).

*PURPOSE:* This rule establishes acceptable design and performance criteria for specified new or modified emission sources. The purpose of this rulemaking is to amend 10 CSR 10-6.070 to incorporate 40 CFR part 60 subparts amended between July 1, 2005 and June 30, 2006. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is elements of the State/EPA work plan and Title V Operating Permit Program requirements.

**(1) Applicability.**

(A) The provisions of 40 CFR part 60 promulgated as of June 30, 2005 shall apply and are hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.

(3) General Provisions. The following are the New Source Performance Standards (NSPS) 40 CFR part 60 subparts that are adopted by reference in subsection (1)(A) of this rule. Individual source operations or installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

**Subpart              Title**

- (D) Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971
- (Da) Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978
- (Db) Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units
- (Dc) Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units
- (E) Standards of Performance for Incinerators
- (Ea) Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and on or Before September 20, 1994
- (Eb) Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
- (Ec) Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which /c/Construction is Commenced After June 20, 1996
- (F) Standards of Performance for Portland Cement Plants
- (G) Standards of Performance for Nitric Acid Plants
- (H) Standards of Performance for Sulfuric Acid Plants
- (I) Standards of Performance for Hot Mix Asphalt Facilities
- (J) Standards of Performance for Petroleum Refineries
- (K) Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
- (Ka) Standards for Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
- (Kb) Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
- (L) Standards of Performance for Secondary Lead Smelters
- (M) Standards of Performance for Secondary Brass and Bronze Production Plants
- (N) Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973
- (Na) Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983
- (O) Standards of Performance for Sewage Treatment Plants
- (P) Standards of Performance for Primary Copper Smelters
- (Q) Standards of Performance for Primary Zinc Smelters
- (R) Standards of Performance for Primary Lead Smelters
- (S) Standards of Performance for Primary Aluminum Reduction Plants
- (T) Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants
- (U) Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants
- (V) Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants
- (W) Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants
- (X) Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
- (Y) Standards of Performance for Coal Preparation Plants
- (Z) Standards of Performance for Ferroalloy Production Facilities
- (AA) Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983

(AA) Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983  
(BB) Standards of Performance for Kraft Pulp Mills  
(CC) Standards of Performance for Glass Manufacturing Plants  
(DD) Standards of Performance for Grain Elevators  
(EE) Standards of Performance for Surface Coating of Metal Furniture  
(GG) Standards of Performance for Stationary Gas Turbines  
(HH) Standards of Performance for Lime Manufacturing Plants  
(KK) Standards of Performance for Lead-Acid Battery Manufacturing Plants  
(LL) Standards of Performance for Metallic Mineral Processing Plants  
(MM) Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations  
(NN) Standards of Performance for Phosphate Rock Plants  
(PP) Standards of Performance for Ammonium Sulfate Manufacture  
(QQ) Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing  
(RR) Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations  
(SS) Standards of Performance for Industrial Surface Coating: Large Appliances  
(TT) Standards of Performance for Metal Coil Surface Coating  
(UU) Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture  
(VV) Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry  
(WW) Standards of Performance for the Beverage Can Surface Coating Industry  
(XX) Standards of Performance for Bulk Gasoline Terminals  
(AAA) Standards of Performance for New Residential Wood Heaters  
(BBB) Standards of Performance for the Rubber Tire Manufacturing Industry  
(DDD) Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry  
(FFF) Standards of Performance for Flexible Vinyl and Urethane Coating and Printing  
(GGG) Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries  
(HHH) Standards of Performance for Synthetic Fiber Production Facilities  
(III) Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes  
(JJJ) Standards of Performance for Petroleum Dry Cleaners  
(KKK) Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants  
(LLL) Standards of Performance for Onshore Natural Gas Processing: SO<sub>2</sub> Emissions  
(NNN) Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations  
(OOO) Standards of Performance for Nonmetallic Mineral Processing Plants  
(PPP) Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants  
(QQQ) Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems  
(RRR) Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes  
(SSS) Standards of Performance for Magnetic Tape Coating Facilities

(TTT) Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines  
(UUU) Standards of Performance for Calciners and Dryers in Mineral Industries  
(VVV) Standards of Performance for Polymeric Coating of Supporting Substrates Facilities  
(WWW) Standards of Performance for Municipal Solid Waste Landfills  
(AAAA) Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001  
(CCCC) Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001  
(EEEE) Standards of Performance for Other Solid Waste Incineration Units for Which Construction Commenced After December 9, 2004, or for Which Modification or Reconstruction Is Commenced on or After June 16, 2006  
(FFFF) Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004

*AUTHORITY:* section 643.050, RSMo 2000. Original rule filed Dec. 10, 1979, effective April 11, 1980. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 25, 2008.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* A public hearing on this proposed amendment will begin at 9:00 a.m., June 26, 2008. The public hearing will be held at the Governor's Office Building, Room 450, 200 Madison Street, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 East Elm Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 3, 2008. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 East Elm Street, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 10—Air Conservation Commission**  
**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control**  
**Regulations for the Entire State of Missouri**

**PROPOSED AMENDMENT**

**10 CSR 10-6.075 Maximum Achievable Control Technology Regulations.** The commission proposes to amend subsection (1)(A). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of

Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, [www.dnr.mo.gov/regs/ruleindex.htm](http://www.dnr.mo.gov/regs/ruleindex.htm).

**PURPOSE:** This rule establishes emission control technology, performance criteria and work practices to achieve emission standards for sources that emit or have the potential to emit hazardous air pollutants. The purpose of this rulemaking is to amend 10 CSR 10-6.075 to incorporate 40 CFR part 63 subparts promulgated or amended between July 1, 2005 and June 30, 2006. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is elements of the State/EPA work plan and Title V Operating Permit Program requirements.

(1) Applicability.

(A) The provisions of 40 CFR part 63 promulgated as of June 30, *[2005] 2006* shall apply and are hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.

**AUTHORITY:** section 643.050, RSMo 2000. Original rule filed May 1, 1996, effective Dec. 30, 1996. For intervening history, please consult the **Code of State Regulations**. Amended: Filed March 25, 2008.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing on this proposed amendment will begin at 9:00 a.m., June 26, 2008. The public hearing will be held at the Governor's Office Building, Room 450, 200 Madison Street, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 East Elm Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 3, 2008. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 East Elm Street, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 10—Air Conservation Commission**  
**Chapter 6—Air Quality Standards, Definitions, Sampling**  
**and Reference Methods and Air Pollution Control**  
**Regulations for the Entire State of Missouri**

**PROPOSED AMENDMENT**

**10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants.** The commission proposes to amend subsection (1)(A). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of

this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, [www.dnr.mo.gov/regs/ruleindex.htm](http://www.dnr.mo.gov/regs/ruleindex.htm).

**PURPOSE:** This rule establishes emission standards and performance criteria for new or modified sources emitting hazardous air pollutants. The purpose of this rulemaking is to amend 10 CSR 10-6.080 to incorporate 40 CFR part 61 subparts amended between July 1, 2005 and June 30, 2006. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is elements of the State/EPA work plan and Title V Operating Permit Program requirements.

(1) Applicability.

(A) The provisions of 40 CFR part 61 promulgated as of June 30, *[2005] 2006* shall apply and are hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.

**AUTHORITY:** section 643.050, RSMo 2000. Original rule filed Dec. 10, 1979, effective April 11, 1980. For intervening history, please consult the **Code of State Regulations**. Amended: Filed March 25, 2008.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing on this proposed amendment will begin at 9:00 a.m., June 26, 2008. The public hearing will be held at the Governor's Office Building, Room 450, 200 Madison Street, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 East Elm Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., July 3, 2008. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 1659 East Elm Street, PO Box 176, Jefferson City, MO 65102-0176.

**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 51—Broker-Dealers, Agents, Investment**  
**Advisers, and Investment Adviser Representatives**

**PROPOSED AMENDMENT**

**15 CSR 30-51.170 Dishonest or Unethical Business Practices by Broker-Dealers and Agents.** The commissioner is adding a new section (2) and renumbering the original section (2).

**PURPOSE:** This amendment prevents broker-dealers and their agents from using senior designations that have not been accredited by organizations recognized by the commissioner of securities.

(2) It shall be a dishonest or unethical practice in the securities business for a broker-dealer or its agent to use a senior specific certification or designation in connection with the offer, sale, or

**purchase of securities that indicates or implies that the user has special certification or training in advising or servicing elderly persons, in such a way as to mislead any person.**

(A) The prohibited use of such certifications or professional designation includes, but is not limited to, the following:

1. Use of a certification or professional designation by a person who has not actually earned or is otherwise ineligible to use such certification or designation;

2. Use of a nonexistent or self-conferred certification or professional designation;

3. Use of a certification or professional designation that indicates or implies a level of occupational qualifications obtained through education, training, or experience that the person using the certification or professional designation does not have; and

4. Use of a certification or professional designation that was obtained from a designating or certifying organization that is not qualified.

(B) A designating or certifying organization is "qualified" for purposes of paragraph (2)(A)4. above when the organization has been accredited by—

1. The American National Standards Institute;

2. The National Commission for Certifying Agencies; or

3. An organization that is on the United States Department of Education's list entitled "Accrediting Agencies Recognized for Title IV Purposes" and the designation or credential issued therefrom does not primarily apply to sales and/or marketing.

(C) In determining whether a combination of words (or an acronym standing for a combination of words) constitutes a certification or professional designation indicating or implying that an adviser has special certification or training in advising or servicing senior citizens or retirees, factors to be considered shall include:

1. Use of one (1) or more words such as "senior," "retirement," "elder," or like words, combined with one (1) or more words such as "certified," "registered," "chartered," "adviser," "specialist," "consultant," "planner," or like words, in the name of the certification or professional designation; and

2. The manner in which those words are combined.

(D) For purposes of this rule—

1. "Certification or professional designation" does not include a job title within an organization that is licensed or registered by a state or federal financial services regulatory agency, when that job title—

A. Indicates seniority or standing within the organization; or

B. Specifies an individual's area of specialization within the organization;

2. "Elderly person" is a person sixty (60) years of age or older; and

3. "Federal financial services regulatory agency" includes, but is not limited to, any agency that regulates—

A. Broker-dealers;

B. Investment advisers; or

C. Investment companies as defined under the Investment Company Act of 1940.

(E) Nothing in this rule shall limit the commissioner's authority to enforce existing provisions of law.

(F) This rule shall take effect on January 1, 2009.

/(2)/(3) The conduct set forth above is not inclusive. Engaging in other conduct such as nondisclosure or incomplete disclosure of material fact, or other deceptive practices are dishonest or unethical business practices.

*AUTHORITY: section/s 409.4-412 and] 409.6-605, RSMo Supp. /2003/ 2007. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed March 31, 2008.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities fifty-six thousand, two hundred fifty dollars (\$56,250) to two hundred twenty-five thousand dollars (\$225,000) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Secretary of State's Office, Matt Kitzi, Commissioner of Securities, 600 West Main Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE  
PRIVATE COST**

- I.**   **Department Title:** Elected Officials  
**Division Title:** Secretary of State  
**Chapter Title:** Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives

|                               |   |
|-------------------------------|---|
| <b>Rule Number and Title:</b> | 15 CSR 30-51.170 Dishonest or Unethical Business Practices by Broker-Dealers and Agents |
| <b>Type of Rulemaking:</b>    | Amendment   |

**II. SUMMARY OF FISCAL IMPACT**

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|--|--|
| Fifteen entities (approx.)  | Business entities providing senior designations                                  | \$56,250 to \$225,000  |
|   |  |  |
|   |  |  |
|   |  |  |

**III. WORKSHEET**

$$(15 \text{ entities}) \times (\$3,750 \text{ to } \$15,000 \text{ for becoming accredited}) = \$56,250 \text{ to } \$225,000$$

**IV. ASSUMPTIONS**

- An entity's total costs for accreditation through the life of the rule—including initial costs and maintenance of that status—are \$5,000 to \$20,000.
- Because other states have previously required similar accreditation as the proposed rule, the costs for accreditation will already have been paid by some entities, discounting the costs of accreditation in this state by at least 25%.

**Title 15—ELECTED OFFICIALS**

**Division 30—Secretary of State**

**Chapter 51—Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives**

**PROPOSED AMENDMENT**

**15 CSR 30-51.172 Dishonest or Unethical Business Practices by Investment Advisers and Investment Adviser Representatives.** The commissioner is adding a new section (2) and renumbering the original section (2).

**PURPOSE:** This amendment prevents investment advisers and investment adviser representatives from using senior designations that have not been accredited by organizations recognized by the commissioner of securities.

(2) It shall be a dishonest or unethical practice in the securities business for an adviser to use a senior specific certification or designation in connection with the offer, sale, or purchase of securities, or the provision of advice as to the value of or the advisability of investing in, purchasing, or selling securities, either directly or indirectly or through publications or writings, or by issuing or promulgating analyses or reports relating to securities, that indicates or implies that the user has special certification or training in advising or servicing elderly persons, in such a way as to mislead any person.

(A) The prohibited use of such certifications or professional designation includes, but is not limited to, the following:

1. Use of a certification or professional designation by a person who has not actually earned or is otherwise ineligible to use such certification or designation;

2. Use of a nonexistent or self-conferred certification or professional designation;

3. Use of a certification or professional designation that indicates or implies a level of occupational qualifications obtained through education, training, or experience that the person using the certification or professional designation does not have; and

4. Use of a certification or professional designation that was obtained from a designating or certifying organization that is not qualified.

(B) A designating or certifying organization is “qualified” for purposes of paragraph (2)(A)4. above when the organization has been accredited by—

1. The American National Standards Institute;

2. The National Commission for Certifying Agencies; or

3. An organization that is on the United States Department of Education’s list entitled “Accrediting Agencies Recognized for Title IV Purposes” and the designation or credential issued therefrom does not primarily apply to sales and/or marketing.

(C) In determining whether a combination of words (or an acronym standing for a combination of words) constitutes a certification or professional designation indicating or implying that an adviser has special certification or training in advising or servicing senior citizens or retirees, factors to be considered shall include:

1. Use of one (1) or more words such as “senior,” “retirement,” “elder,” or like words, combined with one (1) or more words such as “certified,” “registered,” “chartered,” “adviser,” “specialist,” “consultant,” “planner,” or like words, in the name of the certification or professional designation; and

2. The manner in which those words are combined.

(D) For purposes of this rule—

1. “Certification or professional designation” does not include a job title within an organization that is licensed or registered by a state or federal financial services regulatory agency, when that job title—

A. Indicates seniority or standing within the organization; or

B. Specifies an individual’s area of specialization within the organization;

2. “Elderly person” is a person sixty (60) years of age or older; and

3. “Federal financial services regulatory agency” includes, but is not limited to, any agency that regulates—

A. Broker-dealers;

B. Investment advisers; or

C. Investment companies as defined under the Investment Company Act of 1940.

(E) Nothing in this rule shall limit the commissioner’s authority to enforce existing provisions of law.

(F) This rule shall take effect on January 1, 2009.

*[(2)](3)* The conduct set forth above is not inclusive. Engaging in other conduct such as nondisclosure or incomplete disclosure of material fact, or other deceptive practices are dishonest or unethical business practices.

**AUTHORITY:** section[s] 409.4-412 and] 409.6-605, RSMo Supp. [2003] 2007. Original rule filed April 8, 2004, effective Oct. 30, 2004. Amended: Filed March 31, 2008.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will cost private entities fifty-six thousand, two hundred fifty dollars (\$56,250) to two hundred twenty-five thousand dollars (\$225,000) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Secretary of State’s Office, Matt Kitzi, Commissioner of Securities, 600 West Main Street, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE  
PRIVATE COST**

- I.**   **Department Title:** Elected Officials  
**Division Title:** Secretary of State  
**Chapter Title:** Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives

|                               |  |
|-------------------------------|--|
| <b>Rule Number and Title:</b> | 15 CSR 30-51.172 Dishonest or Unethical Business Practices by Investment Advisers and Investment Adviser Representatives |
| <b>Type of Rulemaking:</b>    | Amendment  |

**II. SUMMARY OF FISCAL IMPACT**

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|--|--|
| Fifteen entities (approx.)  | Business entities providing senior designations                                  | \$56,250 to \$225,000  |
|   |  |  |
|   |  |  |
|   |  |  |

**III. WORKSHEET**

$$(15 \text{ entities}) \times (\$3,750 \text{ to } \$15,000 \text{ for becoming accredited}) = \$56,250 \text{ to } \$225,000$$

**IV. ASSUMPTIONS**

- An entity's total costs for accreditation through the life of the rule—including initial costs and maintenance of that status—are \$5,000 to \$20,000.
- Because other states have previously required similar accreditation as the proposed rule, the costs for accreditation will already have been paid by some entities, discounting the costs of accreditation in this state by at least 25%.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 100—Insurer Conduct**  
**Chapter 7—Market Conduct Analysis**

**PROPOSED RULE**

**20 CSR 100-7.002 Scope and Definitions**

**PURPOSE:** This rule sets out the scope of the rules in this chapter and provides definitions to aid in the interpretation of the rules in this chapter.

(1) Applicability of Rules. The rules in this chapter apply to insurers and other companies transacting business in the state and examiners, analysts, and other staff within the Insurance Market Regulation Division engaged in market conduct actions, and shall be read together with Chapter 536, RSMo.

(2) Definitions. As used in this chapter, the following terms shall mean:

(A) "Company," any person as defined by section 374.202.2(1), RSMo;

(B) "Complaint," a written or documented oral communication primarily expressing a grievance, meaning an expression of dissatisfaction with a specific insurance company or producer;

(C) "Comprehensive market conduct examination," a review of one (1) or more lines of business of a company that includes a review of a majority of the specified business activities occurring at a company: underwriting and rating, tier classification, marketing and sales, complaint handling operations or management, advertising materials, licensing, policyholder services, non-forfeitures, claims handling, policy forms and filings, and compliance procedures and policies;

(D) "Department," the Department of Insurance, Financial Institutions and Professional Registration;

(E) "Desk examination," a targeted examination that is conducted by an examiner at a location other than the company's premises. A desk examination is usually performed at the department's offices with the insurer providing requested documents by hard copy, microfiche, discs, or other electronic media, for review;

(F) "Director," the director of the Department of Insurance, Financial Institutions and Professional Registration;

(G) "Division," the Insurance Market Regulation Division;

(H) "Examiner," any individual having been authorized by the director to conduct a market conduct examination under sections 374.202 to 374.207, RSMo;

(I) "Insurer," any person as defined by section 374.202.2(5), RSMo;

(J) "Market analysis," a process whereby market conduct surveillance personnel collect and analyze information from filed schedules, surveys, required reports, and other sources in order to develop a baseline and to identify patterns or practices of insurers or companies licensed to do business in this state that deviate significantly from the norm or that may pose a potential risk to insurance consumers;

(K) "Market conduct action," any of the full range of activities that the director may initiate to assess the market and practices of individual insurers or companies, beginning with market analysis and extending to examinations. The director's activities to resolve an individual consumer complaint or other reports of a specific instance of misconduct are not market conduct actions for the purposes of this chapter;

(L) "Market conduct examination," the examination of the insurance operations of an insurer or company licensed to do business in this state in order to evaluate compliance with the applicable laws and regulations of this state. A market conduct examination may be either

a comprehensive examination or a targeted examination. A market conduct examination conducted under sections 374.202 to 374.207, RSMo, is separate and distinct from a financial examination of an insurer, but may be conducted at the same time;

(M) "Market conduct surveillance personnel," those individuals employed or contracted by the director to collect, analyze, review, examine, or act on information on the insurance marketplace, which identifies pattern or practices of insurers and other companies;

(N) "National Association of Insurance Commissioners" or "NAIC," the organization of insurance regulators from the fifty (50) states, the District of Columbia, and the four (4) United States territories;

(O) "NAIC market conduct uniform examination procedures," the set of guidelines developed and adopted by the NAIC designed to be used by market conduct surveillance personnel in conducting an examination;

(P) "NAIC Market Regulation Handbook," a handbook, developed and adopted by the NAIC, or successor product, which—

1. Outlines elements and objectives of market analysis and the process by which states can establish and implement market analysis programs; and

2. Establishes guidelines for market conduct surveillance personnel examination practices;

(Q) "NAIC standard data request," the set of field names and descriptions developed and adopted by the NAIC for use by market conduct surveillance personnel in an examination;

(R) "On-site examination," an examination conducted at the company's home office or the location where the records under review are stored;

(S) "Targeted examination," a for-cause review of either a specific line of business or specific business practices, including but not limited to underwriting and rating, tier classification, marketing and sales, complaint handling operations or management, advertising materials, licensing, policyholder services, non-forfeitures, claims handling, policy forms and filings, or compliance procedures and policies. A targeted examination may be conducted by desk examination or by an on-site examination;

(T) "Third party model or product," a model or product provided by an entity separate from and not under direct or indirect corporate control of the insurer or company using the model or product; and

(U) "Warrant," a written order of the director commanding the Insurance Market Regulation Division to conduct a market conduct examination.

**AUTHORITY:** sections 374.045 and 374.202–374.207, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 9 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the

*Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 100—Insurer Conduct  
Chapter 7—Market Conduct Analysis**

**PROPOSED RULE**

**20 CSR 100-7.005 Uniform Analysis and Continuum of Actions**

**PURPOSE:** This rule implements the purposes of section 374.185, RSMo and establishes uniform standards for the Insurance Market Regulation Division utilizing market analysis to evaluate the market conduct of insurers and to develop cause for issuance of an examination warrant pursuant to sections 374.202 to 374.207, RSMo.

(1) The director is responsible for market regulation of insurers for Missouri policyholder protection and shall utilize market conduct action, including market analysis, investigations, desk examinations, targeted examinations, and comprehensive examinations of insurers. Such actions shall be pursued by the division in a manner consistent with the purposes of section 374.185, RSMo. In furtherance of such purposes and to provide uniform standards designed to avoid arbitrary or capricious use of discretion in issuing warrants for market conduct examinations, the division shall apply the following standards in utilizing market analysis:

(A) The division shall gather information from data currently available to the division, as well as surveys and required reporting requirements, information collected by the National Association of Insurance Commissioners (NAIC) and a variety of other sources in both the public and private sectors, and information from within and outside the insurance industry from objective sources, information from web sites for insurers, agents, and other organizations, and information from other credible sources;

(B) Such information shall be analyzed in order to develop a baseline understanding of the marketplace and to identify for further review insurers or practices that deviate significantly from the norm or that may pose a potential risk to the insurance consumer;

(C) The NAIC Market Regulation Handbook, and other handbooks adopted by the NAIC, shall be used by the division as a guide in performing this analysis;

(D) The division shall identify key lines of business for systematic review; and

(E) The division shall identify companies for further analysis based on available information.

(2) If the analysis supports further investigation or review by the division into a particular insurer or practice, the following continuum of market conduct actions may be considered prior to requesting a warrant for an examination. These actions may include, but are not limited to:

- (A) Correspondence with insurer;
- (B) Insurer interviews;
- (C) Information gathering;
- (D) Policy and procedure reviews;
- (E) Interrogatories; and

(F) Review of insurer self-evaluation, if not subject to a privilege of confidentiality, and compliance programs, including membership in a best-practice organization.

(3) The division shall take those steps reasonably necessary to eliminate requests for information that duplicate information provided as part of an insurer's annual financial statement, the annual NAIC market conduct statement, or other required schedules, surveys, or

reports regularly submitted to the director, unless the information is state specific.

**AUTHORITY:** sections 374.045, 374.190, and 374.205, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 9 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 100—Insurer Conduct  
Chapter 8—Market Conduct Examinations**

**PROPOSED RULE**

**20 CSR 100-8.002 Scope and Definitions**

**PURPOSE:** This rule sets out the scope of the rules in this chapter and provides definitions to aid in the interpretation of the rules in this chapter.

(1) **Applicability of Rules.** The rules in this chapter apply to insurers and other companies transacting business in the state and examiners, analysts, and other staff within the Insurance Market Regulation Division engaged in market conduct actions, and shall be read together with Chapter 536, RSMo.

(2) **Definitions.** As used in this chapter, the following terms shall mean:

(A) "Company," any person as defined by section 374.202.2(1), RSMo;

(B) "Complaint," a written or documented oral communication primarily expressing a grievance, meaning an expression of dissatisfaction with a specific insurance company or producer;

(C) "Comprehensive market conduct examination," a review of one (1) or more lines of business of a company that includes a review of a majority of the specified business activities occurring at a company: underwriting and rating, tier classification, marketing and sales, complaint handling operations or management, advertising materials, licensing, policyholder services, non-forfeitures, claims handling, policy forms and filings, and compliance procedures and policies;

(D) "Department," the Department of Insurance, Financial Institutions and Professional Registration;

(E) "Desk examination," a targeted examination that is conducted by an examiner at a location other than the company's premises. A desk examination is usually performed at the department's offices with the insurer providing requested documents by hard copy, microfiche, discs, or other electronic media, for review;

(F) "Director," the director of the Department of Insurance, Financial Institutions and Professional Registration;

(G) "Division," the Insurance Market Regulation Division;

(H) "Examiner," any individual having been authorized by the director to conduct a market conduct examination under sections 374.202 to 374.207, RSMo;

(I) "Insurer," any person as defined by section 374.202.2(5), RSMo;

(J) "Market analysis," a process whereby market conduct surveillance personnel collect and analyze information from filed schedules, surveys, required reports, and other sources in order to develop a baseline and to identify patterns or practices of insurers or companies licensed to do business in this state that deviate significantly from the norm or that may pose a potential risk to insurance consumers;

(K) "Market conduct action," any of the full range of activities that the director may initiate to assess the market and practices of individual insurers or companies, beginning with market analysis and extending to examinations. The director's activities to resolve an individual consumer complaint or other reports of a specific instance of misconduct are not market conduct actions for the purposes of this chapter;

(L) "Market conduct examination," the examination of the insurance operations of an insurer or company licensed to do business in this state in order to evaluate compliance with the applicable laws and regulations of this state. A market conduct examination may be either a comprehensive examination or a targeted examination. A market conduct examination conducted under sections 374.202 to 374.207, RSMo, is separate and distinct from a financial examination of an insurer, but may be conducted at the same time;

(M) "Market conduct surveillance personnel," those individuals employed or contracted by the director to collect, analyze, review, examine, or act on information on the insurance marketplace, which identifies pattern or practices of insurers and other companies;

(N) "National Association of Insurance Commissioners" or "NAIC," the organization of insurance regulators from the fifty (50) states, the District of Columbia, and the four (4) United States territories;

(O) "NAIC market conduct uniform examination procedures," the set of guidelines developed and adopted by the NAIC designed to be used by market conduct surveillance personnel in conducting an examination;

(P) "NAIC Market Regulation Handbook," a handbook, developed and adopted by the NAIC, or successor product, which—

1. Outlines elements and objectives of market analysis and the process by which states can establish and implement market analysis programs; and

2. Establishes guidelines for market conduct surveillance personnel examination practices;

(Q) "NAIC standard data request," the set of field names and descriptions developed and adopted by the NAIC for use by market conduct surveillance personnel in an examination;

(R) "On-site examination," an examination conducted at the company's home office or the location where the records under review are stored;

(S) "Targeted examination," a for-cause review of either a specific line of business or specific business practices, including but not limited to underwriting and rating, tier classification, marketing and sales, complaint handling operations or management, advertising materials, licensing, policyholder services, non-forfeitures, claims handling, policy forms and filings, or compliance procedures and policies. A targeted examination may be conducted by desk examination or by an on-site examination;

(T) "Third party model or product," a model or product provided by an entity separate from and not under direct or indirect corporate control of the insurer or company using the model or product; and

(U) "Warrant," a written order of the director commanding the Insurance Market Regulation Division to conduct a market conduct examination.

*AUTHORITY: sections 374.045 and 374.202–374.207, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 100—Insurer Conduct**  
**Chapter 8—Market Conduct Examinations**

**PROPOSED RULE**

**20 CSR 100-8.005 Examination Warrants**

*PURPOSE: This rule implements the purposes of section 374.185, RSMo, and establishes uniform standards for the director in applying the discretion authorized in issuing warrants for market conduct examinations pursuant to sections 374.202 to 374.207, RSMo.*

(1) The director is responsible for market regulation of insurers for Missouri policyholder protection and shall utilize market conduct actions, including market analysis, investigation, desk examinations, targeted examinations, and comprehensive examinations of insurers or other companies. Such actions shall be pursued by the division in a manner consistent with the purposes of section 374.185, RSMo.

(2) A market conduct examination shall be conducted only upon the issuance of a warrant by the director or with the written consent of the insurer or company. In furtherance of the purposes of section 374.185, RSMo, and to provide uniform standards designed to avoid arbitrary or capricious use of discretion in issuing warrants for market conduct examinations, the director shall apply the following standards in evaluating factual support for a market conduct examination warrant:

(A) A request for a warrant need not be verified by oath, but must contain the signature of the chief market conduct examiner, and shall state facts sufficient to support the director's reasonable belief of cause as set forth below;

(B) The director may issue a warrant for—

1. A desk examination, if the director has reason to believe—

A. An insurer or other company may have engaged in, or taken a substantial step toward engaging in, or may have materially aided any other person in engaging in, any practice or course of business in violation of Chapter 287, Chapter 354 or Chapters 374 to 385, RSMo, or any rule adopted pursuant thereto and the examination is reasonably calculated to provide data or other information relevant to this inquiry;

B. Significant changes have occurred in an insurer's or other company's market share during the last year;

C. Significant market changes threaten the availability or affordability of insurance coverage; or

D. An examination is required to be performed by law;

2. An on-site examination, if the director has reason to believe—

A. An insurer or other company has engaged in, is engaging in, has taken a substantial step toward engaging in, or has materially aided any other person in engaging in any practice or course of business in violation of Chapter 287, Chapter 354 or Chapters 374 to 385, RSMo, or any rule adopted pursuant thereto;

B. Significant market changes threaten the availability or affordability of insurance coverage; or

C. An examination is required to be performed by law;

(C) The evidence indicating that an insurer or other company has engaged in, is engaging in, has taken a substantial step toward engaging in, or has materially aided any other person in engaging in any practice or course of business in violation of Chapter 287, Chapter 354 or Chapters 374 to 385, RSMo, or any rule adopted pursuant thereto, shall be derived from the following sources:

1. Information obtained from a market conduct annual statement, market survey, or report of financial examination;

2. A number of complaints against the company indicating a particular practice or a complaint ratio that deviates significantly from the norm (a complaint ratio shall be established for each line of business);

3. Information obtained from other objective sources, such as published advertising materials or private causes of action; or

4. Information obtained from any other credible source with direct access to relevant information;

(D) The scope of a warrant shall be reasonably limited by the cause supporting the issuance of the warrant. If additional cause is discovered, and the examiner seeks to expand the scope of the warrant, a request must be made to modify or expand the previously issued warrant or a new warrant must be issued by the director; and

(E) A warrant shall—

1. Be in writing and in the name of the department;

2. Be directed to the Insurance Market Regulation Division;

3. Identify the scope of the examination by describing the specific line of business or specific business practices to be examined and a reasonable estimate of the duration of the examination;

4. Identify whether the examination will be conducted as a desk examination, an on-site examination, or both; and

5. Be signed by the director.

(3) A warrant shall be served on the insurer or other company prior to commencing the market conduct examination.

(4) The warrant authorizes one or more examiners designated by the director to perform the examination and shall instruct them as to the scope of the examination. In conducting the examination, the examiner shall observe those guidelines and procedures set forth in the Market Regulation Handbook adopted by the National Association of Insurance Commissioners (NAIC). The Insurance Market Regulation Division may also employ such other guidelines or procedures as the director may deem appropriate not inconsistent with the provisions of this chapter.

*AUTHORITY: sections 374.045 and 374.205, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

## **TITLE 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

### **Division 100—Insurer Conduct**

#### **Chapter 8—Market Conduct Examinations**

##### **PROPOSED RULE**

###### **20 CSR 100-8.008 Hearing on Warrant**

*PURPOSE: This rule implements the purposes of section 374.055, RSMo and establishes procedures for a hearing conducted to review cause to issue a market conduct examination warrant pursuant to sections 374.202 to 374.207, RSMo.*

(1) Any insurer or other company served with a warrant may request a hearing before the director within fifteen (15) days of the date of service of the warrant. If a hearing is requested, the director shall schedule an expedited hearing within twenty (20) days of the request to review whether the Insurance Market Regulation Division established cause to issue the warrant. The director may issue orders necessary to protect the identity of a confidential source. The director may vacate, set aside, modify, or affirm the warrant.

(2) If the director fails to make a final determination within twenty (20) days of the hearing, the warrant is deemed affirmed and may be executed, and the administrative determination is final for purposes of review. Any final determination of the director is subject to judicial review under section 374.055, RSMo, but during the pendency of judicial review, the execution of the warrant shall not be delayed and is enforceable as provided by law.

*AUTHORITY: sections 374.045 and 374.205, RSMo 2000 and section 374.055, RSMo Supp. 2007. Original rule filed April 1, 2008.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 100—Insurer Conduct**  
**Chapter 8—Market Conduct Examinations**

**PROPOSED RULE**

**20 CSR 100-8.012 Timing of Examinations**

**PURPOSE:** This rule implements the purposes of section 374.185, RSMo, and establishes uniform standards for the timing of market conduct examinations pursuant to sections 374.202 to 374.207, RSMo.

(1) The director is authorized to determine the frequency and timing of market conduct actions. The timing shall depend upon the specific market conduct action to be initiated in accordance with the best practices set out in the National Association of Insurance Commissioners (NAIC) Market Regulation Handbook, unless extraordinary circumstances indicating a risk to consumers require immediate action.

(2) If the director has information that more than one (1) insurer or company is engaged in common practices that may violate statutes or regulations, the director may issue warrants for and coordinate multiple examinations simultaneously.

**AUTHORITY:** sections 374.045 and 374.205, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 100—Insurer Conduct**  
**Chapter 8—Market Conduct Examinations**

**PROPOSED RULE**

**20 CSR 100-8.014 Collaborative Actions**

**PURPOSE:** This rule implements the purposes of section 374.185, RSMo, and establishes relevant standards for the director in applying the discretion authorized in issuing warrants for market conduct examinations pursuant to sections 374.202 to 374.207, RSMo, when other states are considering a market conduct examination regarding the same company or have recently issued a market conduct report regarding the same company.

(1) The director is responsible for market regulation of insurers and other companies for Missouri policyholder protection and shall utilize collaborative market conduct actions with other states to further the purposes of section 374.185, RSMo. In furtherance of such purposes and to provide uniform standards designed to avoid arbitrary or capricious use of discretion in issuing warrants for market conduct examinations, the director shall apply the following standards in evaluating factual support for a warrant when another jurisdiction is considering conducting a market conduct examination or has issued a market conduct report for an examination that has been conducted within the last three (3) years:

(A) In lieu of issuing a warrant for a market conduct examination the director may delegate responsibility for conducting an examination of a domestic company, foreign company, or an affiliate of a company to the insurance commissioner of another jurisdiction if that insurance commissioner agrees to accept the delegated responsibility for the examination, and the domestic company, foreign company, or affiliate has a significant number of policies or significant premium volume in that jurisdiction. If the director elects to delegate responsibility for examining a company, the division shall accept a report of the examination prepared by the insurance commissioner to whom the responsibility has been delegated;

(B) In lieu of requesting a warrant by the director and conducting a market conduct examination of a company, the Insurance Market Regulation Division shall accept a report of a market conduct examination on such company prepared by the insurance commissioner of the company's jurisdiction or state of domicile or another jurisdiction state if the director has determined—

1. The laws of that jurisdiction applicable to the subject of the examination are substantially similar to those of this state;

2. The examining jurisdiction has a market conduct analysis and examination system comparable to the system required under Chapter 7 and this division; and

3. The examination from the other jurisdiction's commissioner has been conducted within the past three (3) years; and

(C) Notwithstanding, if the insurance commissioner to whom the examination responsibility was delegated, or the report of a market conduct examination prepared by the insurance commissioner of another jurisdiction, did not evaluate the specific area or issue of concern to the director or a specific requirement of Missouri law, the director may issue a warrant for a targeted examination to evaluate that specific area or issue of concern.

(2) Subject to a determination under this rule, if a market conduct examination conducted by another jurisdiction results in a finding

that an insurer or other company should modify a specific practice or procedure, the director shall accept documentation that the company has made a similar modification in this state, in lieu of initiating a market conduct action or examination related to that practice or procedure. In order to protect the interests of consumers, policyholders, and claimants of this state, the director may initiate such other enforcement action as is necessary to assure compliance with the laws and regulations of this state. The director may require other or additional practice or procedure modifications as are necessary to achieve compliance with specific state laws or regulations, which differ substantially from those of the examining jurisdiction.

(3) If at any time prior to or during an examination it is brought to the attention of the examiner-in-charge that the insurer or other company has modified such practice or procedure as a result of a market conduct action taken by the commissioner of another jurisdiction, the examiner-in-charge shall accept documentation that the company has satisfactorily modified the practice or procedure and made similar modification to such practice or procedure in this state. In order to protect the interests of consumers, policyholders, and claimants of this state, the director may initiate such other enforcement action as is necessary to assure compliance with the laws and regulations of this state.

(4) If the insurer or other company to be examined is not a domestic company, the director, upon issuance of an examination warrant, shall communicate with and may coordinate the examination with the insurance commissioner of the jurisdiction or state in which the company is domiciled.

*AUTHORITY:* sections 374.045 and 374.205, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 100—Insurer Conduct**  
**Chapter 8—Market Conduct Examinations**

**PROPOSED RULE**

*PURPOSE:* This rule implements the purposes of section 374.185, RSMo, and establishes uniform standards for providing notice of an on-site market conduct examination to the insurer and reporting the examination warrant to the National Association of Insurance Commissioners (NAIC), along with a procedure for encouraging resolution prior to incurring unnecessary examination expenses.

(1) The director shall announce to the applicable company an on-site examination, and shall post an announcement of such examination on the National Association of Insurance Commissioners' (NAIC's) examination tracking system, or comparable NAIC product, as determined by the director, as soon as possible but in no case later than sixty (60) days before the estimated commencement of the examination, unless the director has determined that the company has engaged in or is engaging in any practice or course of business in violation of Chapter 287, Chapter 354, or Chapters 374 to 385, RSMo, and the sixty (60)-day notice would result in continuing injury to consumers. A warrant issued under 20 CSR 100-8.005 may be incorporated to provide some of the information required in this notice, but such announcement shall contain—

(A) The name and address of the insurer or company being examined;

(B) The name and contact information of the audit manager;

(C) The reason for and the scope of the examination;

(D) The date the examination is scheduled to begin;

(E) Identification of any personnel not employed by the department who will assist in the examination, if known at the time the notice is prepared;

(F) A time estimate for the examination;

(G) A budget and work plan for the examination and identification of reasonable and necessary costs and fees that will be included in the bill, if the cost of the examination is billed to the insurer company; and

(H) A request for the insurer company to name its examination coordinator.

(2) The company shall be notified of any practice or procedure which is to be the subject of an examination warrant and prior to any on-site examination shall be given an opportunity to resolve such matters that arise as a result of a market analysis to the satisfaction of the director through informal resolution, settlement agreement, curative order, or other formal resolution under sections 374.046 to 374.049, RSMo, before an examination warrant is executed by the director.

*AUTHORITY:* sections 374.045 and 374.205, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 100—Insurer Conduct**  
**Chapter 8—Market Conduct Examinations**

**PROPOSED RULE**

**20 CSR 100-8.016 Examination Procedures**

**PURPOSE:** This rule implements the purposes of section 374.185, RSMo, and establishes uniform standards for the director in applying the discretion authorized in issuing warrants for market conduct examinations pursuant to sections 374.202 to 374.207, RSMo.

(1) Prior to commencement of an on-site market conduct examination, market conduct surveillance personnel shall prepare a work plan and proposed budget and provide the work plan and proposed budget to the company under examination.

(2) Market conduct examinations shall, to the extent feasible, utilize desk examinations and data requests prior to commencing on-site examination activity.

(3) Market conduct examinations shall be conducted in accordance with the provisions set forth in the National Association of Insurance Commissioners (NAIC) Market Regulation Handbook or substantially similar procedures adopted by rule.

(4) The examiner-in-charge shall conduct a pre-examination conference with the company examination coordinator and key personnel to clarify expectations thirty (30) days prior to commencement of the examination.

(5) If a targeted examination is expanded beyond the scope of the warrant and the reasons provided to the company in the notice of the examination required under this section, the director shall modify the warrant or issue a new warrant and provide written notice to the company explaining the extent of the expansion and the reasons for the expansion. The Insurance Market Regulation Division shall provide a revised work plan to the company before the beginning of any significantly expanded examination, unless extraordinary circumstances indicating a risk to consumers require immediate action.

(6) Prior to the conclusion of a market conduct examination, the examiner-in-charge shall schedule an exit conference with the company.

**AUTHORITY:** sections 374.045 and 374.205, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 100—Insurer Conduct**  
**Chapter 8—Market Conduct Examinations**

**PROPOSED RULE**

**20 CSR 100-8.017 Contract Examiners**

**PURPOSE:** This rule implements the purposes of section 374.185, RSMo and establishes uniform standards for the director appointing contract examiners to perform or assist in market conduct examinations pursuant to sections 374.202 to 374.207, RSMo.

(1) In any contract with qualified examiners necessary to perform a market conduct examination, the director shall specify—

- (A) The functions to be subject to the outsourcing;
- (B) The timelines for completion of the outsourced review;
- (C) Requirements for disclosure of the examiners' recommendations; and
- (D) Requirements for disclosure of the terms of the contracts with the outside consultants participating in the examination, including costs and fees/rates to be assessed to the company.

(2) The director may contract pursuant to applicable state contracting procedures for such qualified contract examiners and actuaries and shall contract to provide reasonable compensation. It is presumed that reasonable compensation shall not exceed one hundred twenty-five percent (125%) of the compensation and per diem allowances for examiners under National Association of Insurance Commissioners (NAIC) guidelines.

**AUTHORITY:** sections 374.045 and 374.205, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed amendment at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12, 2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 100—Insurer Conduct  
Chapter 8—Market Conduct Examinations**

**PROPOSED RULE**

**20 CSR 100-8.018 Post-Examination Procedure**

**PURPOSE:** This rule implements the purposes of section 374.185, RSMo, and establishes uniform post-examination standards for the director and the company following a market conduct examination pursuant to sections 374.202 to 374.207, RSMo.

(1) The post-examination procedure shall be conducted in a manner consistent with the purposes of section 374.185, RSMo. In accordance with the National Association of Insurance Commissioners (NAIC) market conduct uniform examination procedures, the director shall require the following timelines and procedures following the completion of an examination:

(A) No later than fifty-five (55) days following completion of the examination, the examiner-in-charge shall file with the director a verified draft report of examination under oath. Thereafter, the examiner-in-charge shall deliver the draft report to the company within sixty (60) days of the completion of the examination together with a notice which shall afford the company examined a reasonable opportunity of not more than thirty (30) days to make a written submission or rebuttal with respect to any matters contained in the examination report;

(B) Completion of the examination shall be defined as the date the Insurance Market Regulation Division confirms in writing that the examination is completed;

(C) The company shall respond with written comments within thirty (30) days of receipt of the draft report;

(D) The Insurance Market Regulation Division shall make a good faith effort to resolve issues and prepare a final report within thirty (30) days of receipt of the company's written comments, unless a mutual agreement is reached to extend the deadline;

(E) The division may modify the examination findings and finalize the report, as appropriate;

(F) The company shall, within thirty (30) days, accept the final report, accept the findings of the report, file written comments, or petition to modify the findings with a request for hearing. The director may allow an additional thirty (30) days if requested by the company. Any petition to modify the findings with a hearing request shall be made in writing, and a hearing shall be held. After a hearing the director shall issue final examination findings; and

(G) Within thirty (30) days of the end of the period allowed for the receipt of an acceptance or comments by the company or following a hearing, the director shall fully consider and review the report, together with any written comments and any relevant portions of the examiner's work papers and enter an order:

1. Accepting the examination report as filed or with modification or corrections. If the examination report reveals that the company is operating in violation of any law, regulation, or prior order of the director, the director may issue an order for any legal or regulatory action as the director deems appropriate, provided that this order shall be a confidential internal order directing the department to take certain action, or the company and the Insurance Market Regulation Division may negotiate a consent order, curative order, or settlement agreement. Any such order or agreement shall be final once issued or approved by the director;

2. Rejecting the examination report with directions to the examiners to reopen the examination for purposes of obtaining additional information, and requiring the submission of either a new report or a supplemental report; or

3. For an investigatory hearing with no less than twenty (20)-days' notice to the company for purposes of obtaining additional information and testimony.

(2) The final written and electronic market conduct report shall include the company's written response and any negotiated text of the examination report. The company is not obligated to submit a response. References to specific individuals by name shall be limited to an acknowledgment of their involvement in the conduct of the examination.

(3) All orders entered pursuant to subsection (1)(G) shall be accompanied by findings and conclusions resulting from the director's consideration and review of the examination report, relevant examiner work papers, and written comments, if any. A finding issued under subsection (1)(F) shall not be considered a final order. Any order issued under paragraph (1)(G)1. shall be considered a final administrative decision and may be appealed pursuant to section 374.055, RSMo, and shall be served upon the company by certified mail, together with a copy of the final examination report. Within thirty (30) days of the issuance of the final findings, the company shall file affidavits executed by each of its directors stating under oath that they have received a copy of the final report and related orders.

(4) In conducting an investigatory hearing pursuant to paragraph (1)(G)3.—

(A) The hearing shall proceed expeditiously with discovery by the company limited to the examiner's work papers which tend to substantiate any assertions set forth in any written submission or rebuttal.

(B) The director may issue subpoenas for the attendance of any witnesses or the production of any documents deemed relevant to the investigation whether under the control of the department, the company, or other persons. The documents produced shall be included in the record, and testimony taken by the director shall be under oath and preserved for the record.

(C) The provisions of this section shall not require the director to disclose any information or records which would indicate or show the existence of any investigation or activity of a criminal justice agency.

(D) The Insurance Market Regulation Division shall proceed with evidence, including representatives of the company. Thereafter, the company may present testimony relevant to the investigation.

(E) The company and the division shall be permitted to make closing statements.

**AUTHORITY:** sections 374.045 and 374.205, RSMo 2000 and section 374.185, RSMo Supp. 2007. Original rule filed April 1, 2008.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing will be held on this proposed rule at 10 a.m. on June 12, 2008. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule until 5:00 p.m. on June 12,

2008. Written statements shall be sent to Tamara W. Kopp, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

**SPECIAL NEEDS:** If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.

PO Box 4, Jefferson City, MO 65102, by faxing comments to (573) 751-3166, or by emailing comments to [healingarts@pr.mo.gov](mailto:healingarts@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2150—State Board of Registration for the  
Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**PROPOSED AMENDMENT**

**20 CSR 2150-4.060 Fees.** The board is proposing to amend section (1).

**PURPOSE:** House Bill 780 and Senate Bill 308 (2007) removed the requirement for audiologists to be dually licensed with the Board of Hearing Instrument Specialists. Pursuant to section 345.055.3, RSMo, the board shall set the amount of the fees which this chapter authorizes and requires by rules and regulations promulgated pursuant to Chapter 536, RSMo. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter. Therefore, the board is proposing to increase the renewal fees for audiologists.

(1) The following fees are established by the Advisory Commission for Speech-Language Pathologists and Audiologists and are payable in the form of a cashier's check or money order:

|   |              |
|---|--------------|
| (B) <b>Speech-Language Pathologist Biennial Licensure</b>                 |              |
| Renewal Fee—Odd Numbered Years (personal checks acceptable)               | \$ 50        |
| (C) <b>Audiologist Biennial Licensure Renewal Fee—</b>                    |              |
| <b>Odd Numbered Years (personal checks acceptable)</b>                    | <b>\$233</b> |
| (C)   (D) Reinstatement Fee   | \$ 25        |
| (D)   (E) Continuing Education Extension Fee (personal checks acceptable) | \$ 15        |
| (E)   (F) Returned Check Fee  | \$ 25        |

**AUTHORITY:** sections 345.015, 345.022, 345.030, 345.045, and 345.055, RSMo Supp. 2007 and section 345.051, RSMo 2000. This rule originally filed as 4 CSR 150-4.060. Original rule filed July 1, 1988, effective Oct. 27, 1988. For intervening history, please consult the **Code of State Regulations**. Amended: Filed March 31, 2008.

**PUBLIC COST:** This proposed amendment will cost state agencies or political subdivisions approximately sixty-three thousand three hundred eighteen dollars (\$63,318) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

**PRIVATE COST:** This proposed amendment will cost private entities approximately sixty-three thousand three hundred eighteen dollars (\$63,318) biennially for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director,

**PUBLIC ENTITY FISCAL NOTE****I. RULE NUMBER**

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration**

**Division 2150 - Board of Registration for the Healing Arts**

**Chapter 4 Fees**

**Proposed Amendment - 20 CSR 2150-4.060 Fees**

Prepared March 7, 2008 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

| Affected Agency or Political Subdivision   | Estimated Increase in Revenue  |
|--|--|
| Board of Registration for the Healing Arts | \$63,318.00  |
|  | <b>Total Increase in Revenue Biennially for the Life of the Rule</b><br><b>\$63,318.00</b> |

**III. WORKSHEET**

The board is statutorily obligated to enforce and administer the provisions of sections 345.010-345.080, RSMo. Pursuant to Section 345.055.3, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 345.010-345.080, RSMo to produce revenue which shall not substantially exceed the cost and expense of administering sections 345.010-345.080, RSMo. The board estimates the projections calculated in the Private Entity Fiscal Notes will be total increase in revenue for the board.

**IV. ASSUMPTION**

1. It is anticipated that the total increase in revenue will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

## **PRIVATE ENTITY FISCAL NOTE**

### **I. RULE NUMBER**

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration**

**Division 2150 - Board of Registration for the Healing Arts**

**Chapter 4 Fees**

**Proposed Amendment - 20 CSR 2150-4.060 Fees**

Prepared March 7, 2008 by the Division of Professional Registration

### **II. SUMMARY OF FISCAL IMPACT**

| <b>Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:</b> | <b>Classification by type of the business entities which would likely be affected:</b> | <b>Estimated annual cost of compliance with the rule by affected entities:</b> |
|---|--|--|
| 346   | Audiologist Renewal Fee<br>\$183 Increase  | \$63,318   |
|   | <b>Estimated Biennal Cost of Compliance for the Life of the Rule</b>                   | \$63,318   |

### **III. WORKSHEET**

See table above.

### **IV. ASSUMPTION**

1. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. The figures reported above are based on FY07 actuals. The profession has an expected growth rate of 5 applicants annually based on FY05-FY07 actuals.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2150—State Board of Registration for the  
Healing Arts**

**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**PROPOSED AMENDMENT**

**20 CSR 2150-4.080 Ethical Standards.** The board is proposing to amend subsections (2)(C), (2)(M), and (2)(N), add subsection (2)(O), amend subsections (3)(C) and (3)(D), add subsections (3)(E) and (3)(F), add section (4), and renumber the remaining section.

*PURPOSE: Pursuant to House Bill 780 and Senate Bill 308 of the 94th General Assembly (2007), this amendment allows the Board of Healing Arts to adopt rules that ensure consumer protection related to hearing instrument dispensing that meet or exceed those provided under the Hearing Instrument Specialist Board's rules.*

(2) Individuals licensed by the commission shall—

(C) Practice only within the competency areas for which they are qualified by training, experience, or both, **within their scope of practice;**

(M) Not attempt, directly or indirectly, by way of intimidation, coercion, or deception, to obtain or retain a client or discourage the use of a second opinion or consultation; *[and]*

(N) Respond to all requests for information and all other correspondence from the commission./.; and

(O) **Ensure all audiometric instrumentation used is annually calibrated in accordance with the American National Standards Institute.**

(3) Individuals who dispense products to clients served professionally shall observe the following standards:

(C) Clients served must be provided freedom of choice for the source of services and products; *[and]*

(D) Products dispensed to the client served must be evaluated to determine effectiveness./.;

(E) If an individual initiates contact through direct mail or other advertisement promoting the sale of products, the individual shall display clearly on each promotional item the business/establishment name, the principal establishment's street address and telephone number; and

(F) Perform all services in conformance with federal law pertaining to speech-language pathology and audiology scope of practice.

(4) Individuals who dispense products to clients served professionally shall not engage in unfair and deceptive practices, including the following. For purposes of this section, misrepresenting shall mean making misleading, deceiving, improbable, or untruthful representations, or in any other material respect, regarding the character, intent, or type of business.

(A) Misrepresenting the brand, model, grade, quality, quantity, origin, novelty, price, cost, terms of sale, use, construction, size, composition, dimension, type, design, development, visibility, durability, performance, fit, appearance, efficacy, benefits, cost of operation, resistance to climatic conditions, physiological benefit, psychological benefit, or psychological well-being induced by any product;

(B) Misrepresenting any service or adjustment offered, promised, or to be supplied to purchasers of any product;

(C) Misrepresenting any material fact pertaining to the manufacturer, distribution, or marketing of any product;

(D) Misrepresenting, directly or indirectly through the use of any word or term in his/her corporate or trade name, in his/her

advertising, or otherwise that the individual is a manufacturer of products, batteries, parts, or accessories or is the owner or operator of a factory or producing company manufacturing such products;

(E) Misrepresenting the scientific or technical knowledge, training, experience or other qualifications of the individual, or of his/her employees, relating to the selection, fitting, adjustment, maintenance, or repair of any product;

(F) Misrepresenting the repairability, including the cost thereof, or the adequacy of a prospective purchaser's own product or ancillary equipment;

(G) Misrepresenting in advertising or otherwise misrepresenting that a product has a guarantee, warranty, or promise similar in nature without a clear and conspicuous disclosure of—

1. The nature and extent of the guarantee;
2. Any material conditions or limitations in the guarantee which are imposed by the guarantor;
3. The manner in which the guarantor will perform the guaranteed services; and

4. The identity of the guarantor. The necessary disclosure requires that any guarantee made by the individual which is not binding upon the manufacturer must clearly state that the guarantee is offered by the individual only;

(H) Omitting disclosure, either directly or by implication, that products have been used, or contain used parts. In such cases the individual shall make full and non-deceptive disclosure of such facts in all advertising and promotional literature relating to the product, on the container, box, or package in which such product is packed or enclosed and, if the product has the appearance of being new, on the product itself. The required disclosure shall be made by both verbal and written use of such words as "used," "secondhand," "repaired," or "rebuilt," whichever most accurately describes the product involved;

(I) Misrepresenting the identity of the rebuilder of a product. If the rebuilding of the product was done by other than the original manufacturer, the individual shall disclose such fact whenever the original manufacturer is identified;

(J) Representing, either directly or by implication, through the use of words or expressions that any product, device, or part is hidden or cannot be seen unless such is the fact or that a product utilizing bone conduction has certain specified features such as the absence of anything in the ear, or leading to the ear, or the like, without disclosing clearly and conspicuously that the product operates on the bone conduction principle;

(K) Misrepresenting, either directly or by implication, that batteries sold only by such individual or bearing a specified brand, label, or other identifying mark, are the only batteries suitable for use in a particular product when such is not the fact. It shall also be unethical to imply in any manner, that a product does not need batteries when such is not the case;

(L) Advertising or otherwise representing to prospective purchasers any statement which has the capacity and tendency or effect of misleading them into the belief that any product, or part or accessory therefore, is a new invention or involves a new mechanical or scientific principle, when such is not the fact.

(M) Representing or using any seals, emblems, shields, or other insignia which represent, directly or by implication, that a product has been tested, accepted, or approved by any individual, concern, organization, group, or association, unless such is the fact and unless the product has been tested by such individual, concern, organization, group, or association in such manner as reasonable to insure the quality and performance of the product in relation to its intended usage and the fulfillment of any material claims made, implied, or intended to be supported by such representation or insignia;

(N) Making any false, misleading, or deceptive representation, respecting testing, acceptance, or approval of a product by any individual, concern, organization, group, or association; and

(O) Engaging in bait advertising as defined in Chapter 570, RSMo in determining whether bait advertising has been committed, consideration will be given to acts or practices that demonstrate that the advertising offer was not made in good faith for the purpose of selling the advertised product or service, but was made for the purpose of selling a product or service other than the product or service offered to the prospective purchaser.

/(4)(5) The failure of the speech pathologist, clinical audiologist, or both, to abide by any ethical standard set forth in this rule shall constitute misconduct and likewise be grounds for disciplinary proceedings.

**AUTHORITY:** sections 345.030 and 345.050, RSMo Supp. 2007 and section 345.065, RSMo [1986] 2000. This rule originally filed as 4 CSR 150-4.080. Original rule filed July 1, 1988, effective Oct. 27, 1988. Moved to 20 CSR 2150-4.080, effective Aug. 28, 2006. Amended: Filed March 31, 2008.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing comments to (573) 751-3166, or by emailing comments to healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2245—Real Estate Appraisers**  
**Chapter 3—Applications for Certification and Licensure**

**PROPOSED AMENDMENT**

**20 CSR 2245-3.010 Applications for Certification and Licensure.** The board is proposing to amend paragraph (5)(B)1.

**PURPOSE:** This amendment updates the version of the USPAP that the board utilizes.

(5) Prerequisite for Certification.

(B) State-Certified Residential Appraiser.

1. The prerequisite for certification as a state-certified residential appraiser shall be two thousand five hundred (2,500) hours of appraisal experience obtained continuously over a period of not less than twenty-four (24) months under the supervision of a state-certified real estate appraiser. The applicant must have at least fifty percent (50%) of the required experience hours in the state of Missouri. Hours may be treated as cumulative in order to achieve the necessary two thousand five hundred (2,500) hours of appraisal experience and there is no limitation on the number of hours which may be awarded in any year. Each applicant for certification shall furnish, under oath, a detailed listing of the real estate appraisal reports or file memoranda for each year for which experience is claimed by the applicant. Upon request, the applicant shall make available to the commission a sample of appraisal reports which the applicant has prepared in the course of the applicant's appraisal practice. For the purposes of this section, "prepared" means the participation in any function of the

real estate appraisal report. Education may not be substituted for experience except as allowed in section (8) of this rule. All experience shall have been obtained after January 30, 1989, and shall be *Uniform Standards of Professional Appraisal Practice* (USPAP) compliant. The USPAP, /2006/ 2008 Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722 or at [www.appraisalfoundation.org](http://www.appraisalfoundation.org). This rule does not incorporate any subsequent amendments or additions to the USPAP. Acceptable appraisal experience as defined by the Appraiser Qualifications Board (AQB) includes, but is not limited to, the following (this should not be construed as limiting credit to only those individuals who are state-certified or state-licensed):

- A. Fee and staff appraisal;
- B. *Ad valorem* tax appraisal;
- C. Technical review appraisal;
- D. Appraisal analysis;
- E. Real estate consulting;
- F. Highest and best use analysis;
- G. Feasibility analysis/study; and
- H. Condemnation appraisal.

**AUTHORITY:** section[s] 339.509, RSMo 2000 and sections 339.515 and 339.517, RSMo Supp. [2006] 2007. This rule originally filed as 4 CSR 245-3.010. Emergency rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991. Emergency rule filed April 4, 1991, effective April 14, 1991, expired Aug. 11, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 31, 2008.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to [reacm@pr.mo.gov](mailto:reacm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2245—Real Estate Appraisers**  
**Chapter 6—Educational Requirements**

**PROPOSED AMENDMENT**

**20 CSR 2245-6.040 Case Study Courses.** The board is proposing to amend subsection (1)(B).

**PURPOSE:** This amendment updates the version of the USPAP that the board utilizes.

(1) General.

(B) Case study courses shall be at least thirty (30) hours of instruction. For each case study course, experience credit hours may not exceed three (3) times the education credit granted, and in no event shall the experience credit granted for a single course exceed ninety (90) hours. An applicant for licensure or certification may receive

thirty (30) hours of pre-licensure education credit upon passage of an examination approved by the Appraiser Qualifications Board (AQB) course approval program or by an alternate method established by the AQB. A licensee may receive twenty-eight (28) hours of continuing education credit for a case study course as allowed pursuant to 20 CSR 2245.8.010. An applicant for licensure or certification will receive the experience credit upon completing one (1) or more Uniform Standards of Professional Appraisal Practice (USPAP) compliant appraisal reports for the course. The USPAP, *[2006] 2008* Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at [www.appraisalfoundation.org](http://www.appraisalfoundation.org). This rule does not incorporate any subsequent amendments or additions to the USPAP. The amount of education and experience credit available from a case study course will be determined at the time it is approved by the AQB course approval program or by an alternate method established by the AQB.

**AUTHORITY:** sections 339.509.3 and 339.509.4, RSMo 2000. Original rule filed Nov. 21, 2006, effective July 30, 2007. Amended: Filed March 31, 2008.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to [reacm@pr.mo.gov](mailto:reacm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2245—Real Estate Appraisers**  
**Chapter 8—Continuing Education**

**PROPOSED AMENDMENT**

**20 CSR 2245.8.010 Requirements.** The board is proposing to amend section (11).

**PURPOSE:** This amendment updates the version of the USPAP that the board utilizes.

(11) All licensees of the state of Missouri shall complete, for continuing education credit, the seven (7)-hour national Uniform Standards of Professional Appraisal Practice (USPAP) update course or its equivalent during each renewal cycle. The USPAP, *[2006] 2008* Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at [www.appraisalfoundation.org](http://www.appraisalfoundation.org). This rule does not incorporate any subsequent amendments or additions to the USPAP.

**AUTHORITY:** sections 339.509 and 339.530, RSMo 2000. This rule originally filed as 4 CSR 245-8.010. Emergency rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991. Emergency rule filed April 4, 1991, effective April 14, 1991, expired Aug. 11, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. For

intervening history, please consult the *Code of State Regulations*. Amended: Filed March 31, 2008.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to [reacm@pr.mo.gov](mailto:reacm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2245—Real Estate Appraisers**  
**Chapter 8—Continuing Education**

**PROPOSED AMENDMENT**

**20 CSR 2245.8.030 Instructor Approval.** The board is proposing to amend section (4).

**PURPOSE:** This amendment updates the version of the USPAP that the board utilizes.

(4) All instructors of the National Uniform Standards of Professional Appraisal Practice (USPAP) course, the national USPAP update course, or their equivalents shall be approved through the instructor certification program of the Appraisal Qualifications Board (AQB) or by an alternate method established by the AQB. The USPAP, *[2006] 2008* Edition, is incorporated herein by reference and can be obtained from The Appraisal Foundation, 1155 15th Street NW, Suite 1111, Washington, DC 20005, by calling (202) 347-7722, or at [www.appraisalfoundation.org](http://www.appraisalfoundation.org). This rule does not incorporate any subsequent amendments or additions to the USPAP.

**AUTHORITY:** sections 339.509 and 339.530, RSMo 2000. This rule originally filed as 4 CSR 245-8.030. Emergency rule filed Dec. 6, 1990, effective Dec. 16, 1990, expired April 14, 1991. Emergency rule filed April 4, 1991, effective April 14, 1991, expired Aug. 11, 1991. Original rule filed Jan. 3, 1991, effective April 29, 1991. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 31, 2008.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Real Estate Appraisers Commission, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by faxing comments to (573) 751-0038, or by emailing comments to [reacm@pr.mo.gov](mailto:reacm@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2270—Missouri Veterinary Medical Board**  
**Chapter 4—Minimum Standards**

**PROPOSED AMENDMENT**

**20 CSR 2270-4.031 Minimum Standards for Practice Techniques.**  
The board is proposing to amend subsection (1)(C).

*PURPOSE:* This amendment clarifies the length of time radiographs shall be maintained.

(1) Radiological Services.

(C) Radiographs should be stored and maintained for a minimum of five (5) years from the date the radiograph was taken. All exposed radiographic films shall have a permanent identification, legibly exposed in the film emulsion, which will include the following:

1. The hospital or clinic name or facility permit number;
2. The identity of the person taking the radiograph;
3. Client identification;
4. Patient identification; and
5. The date the radiograph was taken.

*AUTHORITY:* section[s] 340.200, RSMo Supp. 2007 and section 340.210, RSMo 2000. This rule originally filed as 4 CSR 270-4.031. Original rule filed Nov. 4, 1992, effective July 8, 1993. For intervening history, please consult the **Code of State Regulations**. Amended: Filed March 31, 2008.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, Attention: Dana Hoelscher, PO Box 633, Jefferson City, MO 65102, via fax at (573) 526-3856, or via email at [vets@pr.mo.gov](mailto:vets@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2270—Missouri Veterinary Medical Board**  
**Chapter 4—Minimum Standards**

**PROPOSED AMENDMENT**

**20 CSR 2270-4.041 Minimum Standards for Medical Records.**  
The board is proposing to amend sections (2) and (3).

*PURPOSE:* This amendment clarifies the length of time radiographs must be maintained to be consistent with the minimum standards for medical records.

(2) Record and Radiograph Storage. All records [and radiographs] shall be maintained for a minimum of five (5) years after the last visit, and all radiographs shall be maintained for a minimum of five (5) years from the date the radiograph was taken. Copies of

records will be made available within a reasonable period of time upon the request of another treating veterinarian who has the authorization of the owner of the animal to which it pertains or directly to the owner. Documented proof of transfers of radiographs will be verifiable.

(3) Computer Records. Computer records are acceptable medical records so long as the security of the computer is maintained. If computer records are used by a veterinarian, a daily and cumulative monthly back-up on a separate disk [or magnetic tape] shall be made. The board strongly recommends that the information required in section (1) of this rule be maintained on hard copy.

*AUTHORITY:* sections 340.210, 340.264, and 340.284, RSMo 2000. This rule originally filed as 4 CSR 270-4.041. Original rule filed Nov. 4, 1992, effective July 8, 1993. Amended: Filed Dec. 1, 2005, effective June 30, 2006. Moved to 20 CSR 2270-4.041, effective Aug. 28, 2006. Amended: Filed March 31, 2008.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, Attention: Dana Hoelscher, PO Box 633, Jefferson City, MO 65102, via fax at (573) 526-3856, or via email at [vets@pr.mo.gov](mailto:vets@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 23—Electric Utility Operational Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, and 393.140, RSMo 2000 and sections 86.250 and 393.130, RSMo Supp. 2007, the commission adopts a rule as follows:

4 CSR 240-23.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 2, 2008 (33 MoReg 8-17). Relevant portions of those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing on the proposed rule was held February 4, 2008, and the public comment period ended February 4, 2008. Five (5) written comments were received from Union Electric Company d/b/a Ameren UE, Aquila, Inc., The Empire District Electric Company, Kansas City Power & Light, and the Missouri Energy Development Association (of which all four (4) companies commenting are members). Kansas City Power & Light and AmerenUE made verbal comments. The only person testifying at the hearing was Dan Beck, on behalf of the staff of the Missouri Public Service Commission. The testimony and comments

verified the need for the proposed rule and generally supported it. Therefore, no substantive changes will be made to the proposed rule.

**COMMENT:** The staff noted that the rule uses the phrase "electrical corporation" as does the statute governing this matter. In subsection (3)(B), "electric corporation" should be changed to "electrical corporation."

**RESPONSE AND EXPLANATION OF CHANGE:** The requested change is appropriate and will be made.

**4 CSR 240-23.020 Electrical Corporation Infrastructure Standards**

**(3) Standards for Inspection, Record Keeping, and Reporting.**

(B) Each electrical corporation subject to this rule shall file at the commission by no later than July 1, 2008, compliance plans for the inspections and record keeping required by this rule, with verification by affidavit of an officer who has knowledge of the matters stated therein. These compliance plans shall include the proposed forms and formats for annual reports and source records, as well as the electrical corporation's plans for the types of inspections and equipment to be inspected during July 1 through December 31, 2008 and the coming calendar year. The electrical corporation's compliance plans shall include a projected schedule for completing a full cycle for each infrastructure classification shown in the attached table titled "Electrical Corporation System Inspection Cycles (Maximum Intervals in Years)." The commission may prescribe changes to an individual electrical corporation's obligations relating to reporting and record keeping formats and forms when and as necessary. None of these changes may conflict with the requirements of this rule unless specifically approved by the commission through a variance.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 23—Electric Utility Operational Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, and 393.140, RSMo 2000 and sections 86.250 and 393.130, RSMo Supp. 2007, the commission adopts a rule as follows:

4 CSR 240-23.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 2, 2008 (33 MoReg 18-25). Relevant portions of those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing on the proposed rule was held February 4, 2008, and the public comment period ended February 4, 2008. Five (5) written comments were received from Union Electric Company d/b/a Ameren UE, Aquila, Inc., The Empire District Electric Company, Kansas City Power & Light, and the Missouri Energy Development Association (of which all four (4) companies commenting are members). Kansas City Power & Light and AmerenUE made verbal comments. The only person testifying at the hearing was Dan Beck, on behalf of the staff of the Missouri Public Service Commission. The testimony and comments verified the need for the proposed rule and generally supported it. Therefore, no substantive changes will be made to the proposed rule.

COMMENT: The staff noted that the rule uses the phrase "electrical corporation" as does the statute governing this matter. In subsection (1)(C) and paragraph (4)(F)2., "electric corporation" should be changed to "electrical corporation" and in subsection (8)(A), "electric public utility" should be changed to "electrical corporation."

RESPONSE AND EXPLANATION OF CHANGE: The requested change is appropriate and will be made.

#### **4 CSR 240-23.030 Electrical Corporation Vegetation Management Standards and Reporting Requirements**

(1) Definitions. The following words and terms, when used in this rule, shall have the following meaning unless the context clearly indicates otherwise.

(C) Distribution line means a primary electric voltage line, wire or cable, energized at less than two hundred thousand (200,000) volts. However, any distribution line subject to this rule shall thereafter be exempt from this rule at such time the electrical corporation provides the commission written proof that such distribution line has been deemed "critical to the reliability of the region" by the Federal Energy Regulatory Commission (FERC), a regional reliability organization or the North American Electric Reliability Council (NERC).

##### **(4) Technical Standards for Vegetation Management.**

(F) The electrical corporation shall remove all trimmings and cut vegetation resulting from vegetation management that are part of the electrical corporation's regular maintenance cycle, within five (5) business days after the vegetation was cut, except if:

1. The electrical corporation obtains consent from the owner of the property upon which the trimmings or cut vegetation are located to leave the trimmings or cut vegetation; or

2. The vegetation management is performed as a direct result of an outage caused by a storm as described in the electrical corporation's standard procedures. The electrical corporation shall include a copy of its standard procedures regarding removal of trimmings or cut vegetation during outages caused by a storm in its annual vegetation management filing. If the electrical corporation proposes to change its standard procedures regarding removal of trimmings or cut vegetation during outages caused by a storm, the electrical corporation shall file the proposed changes with the commission, and other parties shall have thirty (30) days to comment on the proposed changes.

##### **(8) Outreach Programs.**

(A) Each electrical corporation shall conduct an annual public education program to inform its customers, as well as the political subdivisions in the electrical corporation's service territory, of the importance of vegetation management, and of the electrical corporation's role and responsibility in managing vegetation near electric lines.

### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

#### **Division 240—Public Service Commission**

#### **Chapter 31—Missouri Universal Service Fund**

### **ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250, 392.210, 392.248, and 392.470, RSMo 2000 and section 392.200, RSMo Supp. 2007, the commission amends a rule as follows:

#### **4 CSR 240-31.050 Eligibility for Funding—Low-Income Customers and Disabled Customers is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 2, 2008 (33 MoReg 26-29). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing on this proposed amendment was held February 5, 2008, and the public comment period ended February 5, 2008. Two (2) written comments were received and two (2) people testified and two (2) people commented at the hearing. Written comments were received from AT&T Missouri and the staff of the Missouri Public Service Commission. The people testifying at the hearing were Mike Scheperle and Natelle Dietrich on behalf of the staff of the Missouri Public Service Commission. The commenters were Michael Dandino on behalf of the Public Counsel and Robert J. Gryzmala. The staff and the Office of the Public Counsel support the proposed amendments; AT&T opposes them.

**COMMENT #1:** The present self-certification process has been in place for six (6) years, and no evidence that fraud is rampant has been uncovered. The presently required attestation of eligibility made under penalty of perjury is sufficient.

**RESPONSE:** The commission agrees that no widespread fraud has been uncovered, because no effective audit procedure has been in place. Self-certification alone is not sufficient to assess whether a significant number of recipients are eligible for assistance. No changes will be made based on these general comments.

**COMMENT #2:** The Notice of Finding Necessity and proposed rulemaking are deficient in that the audit of the Universal Service Fund (USF) that gave rise to the proposed amendment is not contained in the record, and the fact that the commenter possessed a copy thereof did not cure this deficiency.

**RESPONSE:** The commenter misreads the case law pertaining to non-contested cases, in which a sufficient evidentiary record is not required. The commenter correctly restates the statutory standards that require "a finding that the rule is necessary to carry out the purposes of the statute that granted such rulemaking authority" and that a notice of proposed rulemaking contain an explanation of any proposed rule or change to an existing rule, as well as "the reasons therefore." Although the commenter asserts that neither statutory requirement has been met here, the commission disagrees and believes that both requirements are fully met. No changes will be made based on these comments.

**COMMENT #3:** Applicants for assistance should not be required to provide documentation of participation in a qualified program to be eligible for support. This merely presents another hurdle to people who are already struggling.

**RESPONSE:** The commission disagrees. Applicants may provide any sort of documentation that demonstrates eligibility for or receipt of support from the qualifying programs. The commission is cognizant of the potential harm by creating a burdensome application process, but does not consider the documentation requirement to be overly burdensome. No change will be made as a result of this comment.

**COMMENT #4:** Telecommunications companies should not be required to use a board-approved application form. "Rather, each company should be permitted to prepare its own form (containing company-specific information) and submit it to the board for its approval with respect only to the form's substantive content."

**RESPONSE:** The commission agrees that telecommunications companies should be able to submit forms for board approval, and use them once they are approved. That is the intent behind the phrase "a board-approved" application rather than "the board-approved" application. No changes are necessary as a result of this comment.

**COMMENT #5:** The requirement that telecommunications companies receive, record, and return or destroy documentation is unduly burdensome for the companies and will require those receiving the documentation to make a value judgment on the sufficiency of the documentation.

**RESPONSE:** The commission does not ask for or want such a value judgment by company employees. The rule merely asks the telecommunications company employee to record a description of the documentation received. Eligibility will continue to hinge on the self-certification; the documentation is requested to provide a meaningful opportunity to audit the program. No change will be made as a result of this comment.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  
**Division 50—Division of School Improvement**  
**Chapter 320—State Reimbursed Classes in Remedial Reading**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Education under section 161.092, RSMo Supp. 2007, the board rescinds a rule as follows:

**5 CSR 50-320.010 State Reimbursed Remedial Reading is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 2, 2008 (33 MoReg 30). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication of the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**  
**Division 60—Division of Career Education**  
**Chapter 100—Adult Education**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Education under section 161.092, RSMo Supp. 2007 and sections 161.093 and 161.095, RSMo 2000, the board amends a rule as follows:

**5 CSR 60-100.020 Administration of High School Equivalence Program is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 2, 2008 (33 MoReg 30-32). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 6—DEPARTMENT OF HIGHER EDUCATION**  
**Division 10—Commissioner of Higher Education**  
**Chapter 10—Out-of-State Public Institutions**

**ORDER OF RULEMAKING**

By the authority vested in the Commission of Higher Education under section 173.005, RSMo Supp. 2007, the commissioner adopts a rule as follows:

**6 CSR 10-10.010 Out-of-State Public Institutions is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 16, 2008 (33 MoReg 197-198). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**  
**Division 2150—State Board of Registration for the Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Registration for the Healing Arts under sections 345.030, 345.050, and 345.055, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2150-4.030 Reexamination is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 227). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**  
**Division 2150—State Board of Registration for the Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Registration for the Healing Arts under section 345.020, RSMo 2000 and section 345.050, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2150-4.040 Internationally Trained Applicants is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 227-228). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2150—State Board of Registration for the  
Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Registration for the Healing Arts under sections 345.051 and 345.075, RSMo 2000 and section 345.030, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2150-4.054 Continuing Education Extensions  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 228). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2150—State Board of Registration for the  
Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Registration for the Healing Arts under sections 345.015 and 345.030, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2150-4.110 Supervision Requirements is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 228–229). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2150—State Board of Registration for the  
Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists  
and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the Board of Registration for the Healing Arts under sections 345.015, 345.022, and 345.030, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2150-4.201 Supervision Requirements is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16,

2008 (33 MoReg 229). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2150—State Board of Registration for the  
Healing Arts**  
**Chapter 6—Licensure of Athletic Trainers**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2000 and section 334.706.3(2), RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2150-6.050 Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 230). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2150—State Board of Registration for the  
Healing Arts**  
**Chapter 6—Licensure of Athletic Trainers**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2000 and section 334.706.3(2), RSMo Supp. 2007, the board adopts a rule as follows:

**20 CSR 2150-6.062 Late Registration and Reinstatement  
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 16, 2008 (33 MoReg 230–234). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2150—State Board of Registration for the  
Healing Arts**  
**Chapter 6—Licensure of Athletic Trainers**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2000 and sections

334.706 and 334.710, RSMo Supp. 2007, the board adopts a rule as follows:

**20 CSR 2150-6.066 Reinstatement of an Inactive License is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 16, 2008 (33 MoReg 235-238). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2210—State Board of Optometry  
Chapter 1—Organization and Description of Board**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under section 336.130.4, RSMo 2000 and sections 336.140, 336.160, and 536.023.3, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-1.010 General Organization is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 242). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2210—State Board of Optometry  
Chapter 1—Organization and Description of Board**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under sections 336.140 and 336.160, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-1.020 Board Member Compensation is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 242). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2210—State Board of Optometry  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under sections 336.040 and 336.160.1, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-2.010 Application for Licensure is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 242-243). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2210—State Board of Optometry  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under sections 336.050, 336.160.1, and 336.220.1, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-2.020 Licensure by Examination is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 243). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2210—State Board of Optometry  
Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under sections 336.080 and 336.160.1, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-2.030 License Renewal is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 243-246). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2210—State Board of Optometry**  
**Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under sections 336.160.1 and 610.010.15(6), RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-2.040 Public Complaint Handling and  
Disposition is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 247). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2210—State Board of Optometry**  
**Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under section 336.160, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-2.050 Professional Optometric Corporations  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 247). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2210—State Board of Optometry**  
**Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under section 336.110, RSMo 2000 and section 336.160.1, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-2.060 Professional Conduct Rules is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16,

2008 (33 MoReg 247–248). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2210—State Board of Optometry**  
**Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under sections 336.140 and 336.160, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2210-2.070 Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 248–250). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2231—Division of Professional Registration**  
**Chapter 1—Organization and Description of Division**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Professional Registration under section 620.010.15(2), RSMo Supp. 2007, the board rescinds a rule as follows:

**20 CSR 2231-1.010 General Organization is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 16, 2008 (33 MoReg 251). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2231—Division of Professional Registration**  
**Chapter 1—Organization and Description of Division**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Professional Registration under section 536.023(3), RSMo Supp. 2007, the board adopts a rule as follows:

**20 CSR 2231-1.010 General Organization is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 16, 2008 (33 MoReg 251–252). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION****Division 2231—Division of Professional Registration  
Chapter 2—Designation of License Renewal Dates and  
Related Information****ORDER OF RULEMAKING**

By the authority vested in the Division of Professional Registration under section 620.010.14(2), RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2231-2.010 Designation of License Renewal Dates and  
Related Renewal Information is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 252–253). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION****Division 2232—Missouri State Committee of Interpreters  
Chapter 3—Ethical Rules of Conduct****ORDER OF RULEMAKING**

By the authority vested in the Missouri State Committee of Interpreters under section 209.328, RSMo 2000 and sections 209.285, 209.321, and 209.334, RSMo Supp. 2007, the board amends a rule as follows:

**20 CSR 2232-3.010 General Principles is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 253–255). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION****Division 2232—Missouri State Committee of Interpreters  
Chapter 3—Ethical Rules of Conduct****ORDER OF RULEMAKING**

By the authority vested in the Missouri State Committee of Interpreters under section 209.328, RSMo 2000, the board amends a rule as follows:

**20 CSR 2232-3.030 Mentorship is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 16, 2008 (33 MoReg 255). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and  
Transportation Commission  
Chapter 25—Motor Carrier Operations**

**IN ADDITION**

**7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers**

**PUBLIC NOTICE**

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

**SUMMARY:** This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates, from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce, because of impaired vision, or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

**DATES:** Comments must be received at the address stated below, on or before June 2, 2008.

**ADDRESSES:** You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- Email: [Kathy.Hatfield@modot.mo.gov](mailto:Kathy.Hatfield@modot.mo.gov)
- Mail: PO Box 893, Jefferson City, MO 65102-0893
- Hand Delivery: 1320 Creek Trail Drive, Jefferson City, MO 65109
- Instructions: All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection and MoDOT may publish those comments by any available means.

**COMMENTS RECEIVED  
BECOME MoDOT PUBLIC RECORD**

•By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.

•*Docket:* For access to the department's file, to read background documents or comments received, 1320 Creek Trail Drive, Jefferson City, MO 65109, between 7:30 a.m. and 4:00 p.m., Monday through Friday, except state holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathy Hatfield, Motor Carrier Specialist, (573) 522-9001, MoDOT Motor Carrier Services Division, PO Box 893, Jefferson City, MO 65102-

0893. Office hours are from 7:30 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

**SUPPLEMENTARY INFORMATION:**

**Public Participation**

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

**Background**

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, *Missouri Revised Statutes* (RSMo) Supp. 2007, MoDOT may issue a Skill Performance Evaluation Certificate, for not more than a two (2)-year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing a SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

**Qualifications of Applicants**

**Application # MP071227059**

Applicant's Name & Age: William Hall, 53

Relevant Physical Condition: Mr. Hall's uncorrected visual acuity in his left eye is 20/200 Snellen and his right eye is 20/20 Snellen uncorrected. He has had amblyopia "lazy eye" since birth.

Relevant Driving Experience: Mr. Hall is currently employed as a manager with an oil supply company and has been since 1998. He has no current commercial motor vehicle driving experience. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in January 2008, his ophthalmologist certified, "In my medical opinion, Mr. Hall's visual deficiency is stable and he has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle, and that the applicant's condition will not adversely affect his ability to operate a commercial motor vehicle safely."

Traffic Accidents and Violations: No accidents or violations within the past 3 years.

**Request for Comments**

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and rule 7 CSR 10-25.010, requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: April 1, 2008

*Jan Skouby, Motor Carrier Services Director, Missouri Department of Transportation.*

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES**  
**Division 60—Missouri Health Facilities Review Committee**  
**Chapter 50—Certificate of Need Program**

**EXPEDITED APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the expedited applications listed below. A decision is tentatively scheduled for May 22, 2008. These applications are available for public inspection at the address shown below:

**Date Filed**

**Project Number:** Project Name

City (County)

Cost, Description

**03/26/08**

**#4177 NS:** Christian Care Home

Ferguson (St. Louis County)

\$10,686,869, Replace 168-bed skilled nursing facility (SNF)  
with 150-bed SNF

**#4176 RS:** Hartnett Christian Village

Ferguson (St. Louis County)

\$2,137,374, Replace 28-bed assisted living facility

**04/08/08**

**#4200 NP:** Springfield Skilled Care Center

Springfield (Greene County)

\$33,000, Long-term care bed expansion through the purchase  
of 6 SNF beds from Dade County Nursing Home District

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by May 12, 2008. All written requests and comments should be sent to:

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
Post Office Box 570  
Jefferson City, MO 65102

For additional information contact  
Donna Schuessler, (573) 751-6403.

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to [dissolutions@sos.mo.gov](mailto:dissolutions@sos.mo.gov).

Notice of Corporate Dissolution to all Creditors and All Claimants against JRW Enterprises, Inc.

JRW ENTERPRISES, INC. filed its Articles of Dissolution with the Secretary of State on November 29, 2007. Any and all claims against JRW ENTERPRISES, INC. may be sent to David D. Mattern, Esq. 7733 Forsyth, 20<sup>th</sup> Floor, St. Louis, Missouri, 63105. Each claim should include the following: name, address, and telephone number of claimant; amount of claim; and basis of the claim. Any claims against JRW ENTERPRISES, INC. will be barred unless a proceeding to enforce the claim is commenced within two years after the date of this publication.

**NOTICE OF WINDING UP OF LIMITED PARTNERSHIP  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
TAYLOR FAMILY LIMITED PARTNERSHIP  
PURSUANT TO R.S.Mo. § 359-481**

TAYLOR FAMILY LIMITED PARTNERSHIP, a Missouri limited partnership, filed its certificate of cancellation with the Missouri Secretary of State on March 13, 2008, effective on the filing date.

All persons and organizations with claims against said corporation must submit in writing to TAYLOR FAMILY LIMITED PARTNERSHIP, c/o Clifford S. Brown, Esq., Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804-4043, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against TAYLOR FAMILY LIMITED PARTNERSHIP will be barred unless a proceeding to enforce the claim is commenced within three (3) years after this notice.

**Rule Changes Since Update to  
Code of State Regulations**May 1, 2008  
Vol. 33, No. 9

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

| Rule Number                     | Agency  | Emergency | Proposed       | Order | In Addition   |
|---------------------------------|---|-----------|----------------|-------|---------------|
| <b>OFFICE OF ADMINISTRATION</b> |   |           |                |       |               |
| 1 CSR 10                        | State Officials' Salary Compensation Schedule   |           |                |       | 30 MoReg 2435 |
| 1 CSR 10-9.010                  | Commissioner of Administration  |           | 33 MoReg 407   |       |               |
| 1 CSR 10-11.010                 | Commissioner of Administration  |           | 33 MoReg 5R    |       |               |
|                                 |   |           | 33 MoReg 5     |       |               |
| 1 CSR 10-11.020                 | Commissioner of Administration  |           | 33 MoReg 7     |       |               |
| 1 CSR 10-11.030                 | Commissioner of Administration  |           | 33 MoReg 7     |       |               |
| 1 CSR 30-2.010                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2467R |       |               |
| 1 CSR 30-2.020                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2467R |       |               |
|                                 |   |           | 32 MoReg 2468  |       |               |
| 1 CSR 30-2.030                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2468R |       |               |
|                                 |   |           | 32 MoReg 2469  |       |               |
| 1 CSR 30-2.040                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2470R |       |               |
|                                 |   |           | 32 MoReg 2470  |       |               |
| 1 CSR 30-2.050                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2473R |       |               |
|                                 |   |           | 32 MoReg 2473  |       |               |
| 1 CSR 30-3.010                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2473R |       |               |
|                                 |   |           | 32 MoReg 2473  |       |               |
| 1 CSR 30-3.020                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2474R |       |               |
|                                 |   |           | 32 MoReg 2474  |       |               |
| 1 CSR 30-3.025                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2476  |       |               |
| 1 CSR 30-3.030                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2480R |       |               |
|                                 |   |           | 32 MoReg 2481  |       |               |
| 1 CSR 30-3.035                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2483  |       |               |
| 1 CSR 30-3.040                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2484R |       |               |
|                                 |   |           | 32 MoReg 2484  |       |               |
| 1 CSR 30-3.050                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2487R |       |               |
|                                 |   |           | 32 MoReg 2487  |       |               |
| 1 CSR 30-3.060                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2488R |       |               |
|                                 |   |           | 32 MoReg 2488  |       |               |
| 1 CSR 30-4.010                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2489R |       |               |
|                                 |   |           | 32 MoReg 2490  |       |               |
| 1 CSR 30-4.020                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2490R |       |               |
|                                 |   |           | 32 MoReg 2490  |       |               |
| 1 CSR 30-4.030                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2492R |       |               |
|                                 |   |           | 32 MoReg 2492  |       |               |
| 1 CSR 30-4.040                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2493R |       |               |
|                                 |   |           | 32 MoReg 2493  |       |               |
| 1 CSR 30-5.010                  | Division of Facilities Management, Design and Construction                            |           | 32 MoReg 2495R |       |               |
|                                 |   |           | 32 MoReg 2495  |       |               |
| 1 CSR 70-1.010                  | Missouri Assistive Technology Advisory Council<br><i>(Changed to 5 CSR 110-1.010)</i> |           | 33 MoReg 194   |       |               |
| 1 CSR 70-1.020                  | Missouri Assistive Technology Advisory Council<br><i>(Changed to 5 CSR 110-1.020)</i> |           | 33 MoReg 197   |       |               |

2 CSR 30-2.040      **DEPARTMENT OF AGRICULTURE**  
                        Animal Health

33 MoReg 717

| Rule Number     | Agency                 | Emergency    | Proposed      | Order        | In Addition |
|-----------------|------------------------|--------------|---------------|--------------|-------------|
| 2 CSR 70-40.015 | Plant Industries       |              | 33 MoReg 627  |              |             |
| 2 CSR 70-40.017 | Plant Industries       |              | 33 MoReg 628  |              |             |
| 2 CSR 70-40.025 | Plant Industries       |              | 33 MoReg 628  |              |             |
| 2 CSR 70-40.040 | Plant Industries       |              | 33 MoReg 629  |              |             |
| 2 CSR 70-40.055 | Plant Industries       |              | 33 MoReg 630R |              |             |
| 2 CSR 90-30.040 | Weights and Measures   | 33 MoReg 399 |               |              |             |
| 2 CSR 110-2.010 | Office of the Director |              | 32 MoReg 1909 |              |             |
| 2 CSR 110-3.010 | Office of the Director | 33 MoReg 311 | 32 MoReg 1170 | 33 MoReg 101 |             |

**DEPARTMENT OF CONSERVATION**

|                 |                         |               |              |              |  |
|-----------------|-------------------------|---------------|--------------|--------------|--|
| 3 CSR 10-5.205  | Conservation Commission | This Issue    |              |              |  |
| 3 CSR 10-5.220  | Conservation Commission | This Issue    |              |              |  |
| 3 CSR 10-7.455  | Conservation Commission | N.A.          | 33 MoReg 261 | 33 MoReg 276 |  |
| 3 CSR 10-11.180 | Conservation Commission | 32 MoReg 2143 | 33 MoReg 263 | 33 MoReg 685 |  |

**DEPARTMENT OF ECONOMIC DEVELOPMENT**

|                   |                           |               |              |  |
|-------------------|---------------------------|---------------|--------------|--|
| 4 CSR 240-3.050   | Public Service Commission | 32 MoReg 2498 | 33 MoReg 740 |  |
| 4 CSR 240-3.162   | Public Service Commission | 32 MoReg 2340 |              |  |
| 4 CSR 240-20.091  | Public Service Commission | 32 MoReg 2354 |              |  |
| 4 CSR 240-23.010  | Public Service Commission | 33 MoReg 407  |              |  |
| 4 CSR 240-23.020  | Public Service Commission | 33 MoReg 8    | This Issue   |  |
| 4 CSR 240-23.030  | Public Service Commission | 33 MoReg 18   | This Issue   |  |
| 4 CSR 240-31.050  | Public Service Commission | 33 MoReg 26   | This Issue   |  |
| 4 CSR 240-33.160  | Public Service Commission | 33 MoReg 522  |              |  |
| 4 CSR 240-40.020  | Public Service Commission | 32 MoReg 2219 | 33 MoReg 679 |  |
| 4 CSR 240-40.030  | Public Service Commission | 32 MoReg 2221 | 33 MoReg 679 |  |
| 4 CSR 240-40.080  | Public Service Commission | 32 MoReg 2239 | 33 MoReg 679 |  |
| 4 CSR 240-123.010 | Public Service Commission | 32 MoReg 2240 | 33 MoReg 680 |  |
| 4 CSR 240-123.020 | Public Service Commission | 32 MoReg 2240 | 33 MoReg 680 |  |
| 4 CSR 240-123.030 | Public Service Commission | 32 MoReg 2241 | 33 MoReg 680 |  |
| 4 CSR 240-123.040 | Public Service Commission | 32 MoReg 2241 | 33 MoReg 680 |  |
| 4 CSR 240-123.050 | Public Service Commission | 32 MoReg 2244 | 33 MoReg 680 |  |
| 4 CSR 240-123.065 | Public Service Commission | 32 MoReg 2244 | 33 MoReg 681 |  |
| 4 CSR 240-123.080 | Public Service Commission | 32 MoReg 2244 | 33 MoReg 681 |  |

**DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**

|                   |  |               |              |  |
|-------------------|--|---------------|--------------|--|
| 5 CSR 50-270.010  | Division of School Improvement   | 33 MoReg 436  |              |  |
| 5 CSR 50-320.010  | Division of School Improvement   | 33 MoReg 30R  | This IssueR  |  |
| 5 CSR 50-340.050  | Division of School Improvement   | 33 MoReg 439  |              |  |
| 5 CSR 60-100.020  | Division of Career Education   | 33 MoReg 30   | This Issue   |  |
| 5 CSR 80-800.200  | Teacher Quality and Urban Education  | 33 MoReg 525  |              |  |
| 5 CSR 80-800.220  | Teacher Quality and Urban Education  | 33 MoReg 526  |              |  |
| 5 CSR 80-800.230  | Teacher Quality and Urban Education  | 33 MoReg 526  |              |  |
| 5 CSR 80-800.260  | Teacher Quality and Urban Education  | 33 MoReg 527  |              |  |
| 5 CSR 80-800.270  | Teacher Quality and Urban Education  | 33 MoReg 527  |              |  |
| 5 CSR 80-800.280  | Teacher Quality and Urban Education  | 33 MoReg 527  |              |  |
| 5 CSR 80-800.350  | Teacher Quality and Urban Education  | 33 MoReg 528  |              |  |
| 5 CSR 80-800.360  | Teacher Quality and Urban Education  | 33 MoReg 528  |              |  |
| 5 CSR 80-800.380  | Teacher Quality and Urban Education  | 33 MoReg 529  |              |  |
| 5 CSR 80-850.045  | Teacher Quality and Urban Education  | 33 MoReg 529R |              |  |
|                   |  | 33 MoReg 530  |              |  |
| 5 CSR 80-860.050  | Teacher Quality and Urban Education  | 33 MoReg 535  |              |  |
| 5 CSR 100-200.170 | Missouri Commission for the Deaf and Hard of Hearing                                   | 33 MoReg 312  | 33 MoReg 323 |  |
| 5 CSR 110-1.010   | Missouri Assistive Technology Advisory Council<br><i>(Changed from 1 CSR 70-1.010)</i> |               | 33 MoReg 194 |  |
| 5 CSR 110-1.020   | Missouri Assistive Technology Advisory Council<br><i>(Changed from 1 CSR 70-1.020)</i> |               | 33 MoReg 197 |  |

**DEPARTMENT OF HIGHER EDUCATION**

|                 |                                  |               |              |  |
|-----------------|----------------------------------|---------------|--------------|--|
| 6 CSR 10-9.010  | Commissioner of Higher Education | 32 MoReg 2361 | 33 MoReg 838 |  |
| 6 CSR 10-10.010 | Commissioner of Higher Education | 33 MoReg 197  | This Issue   |  |

**DEPARTMENT OF TRANSPORTATION**

|                 |  |               |               |  |
|-----------------|--|---------------|---------------|--|
| 7 CSR 10-6.060  | Missouri Highways and Transportation Commission                  | 32 MoReg 2465 | 32 MoReg 2500 | 33 MoReg 838                               |
| 7 CSR 10-25.010 | Missouri Highways and Transportation Commission                  |               |               | 33 MoReg 685<br>33 MoReg 866<br>This Issue |
| 7 CSR 60-1.010  | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.010)</i> |               |               | 33 MoReg 756                               |
| 7 CSR 60-1.020  | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.020)</i> |               |               | 33 MoReg 756                               |
| 7 CSR 60-1.030  | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.030)</i> |               |               | 33 MoReg 756                               |
| 7 CSR 60-1.040  | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.040)</i> |               |               | 33 MoReg 756                               |

**Rule Changes Since Update**May 1, 2008  
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| Rule Number    | Agency   | Emergency | Proposed | Order | In Addition  |
|----------------|--|-----------|----------|-------|--------------|
| 7 CSR 60-1.050 | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.050)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-1.060 | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.060)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-1.070 | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.070)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-1.080 | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.080)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-1.090 | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.090)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-1.100 | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.100)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-1.110 | Highway Safety Division<br><i>(Changed from 11 CSR 60-1.110)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-2.010 | Highway Safety Division<br><i>(Changed from 11 CSR 60-2.010)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-2.020 | Highway Safety Division<br><i>(Changed from 11 CSR 60-2.020)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-2.030 | Highway Safety Division<br><i>(Changed from 11 CSR 60-2.030)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-2.040 | Highway Safety Division<br><i>(Changed from 11 CSR 60-2.040)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-2.050 | Highway Safety Division<br><i>(Changed from 11 CSR 60-2.050)</i> |           |          |       | 33 MoReg 756 |
| 7 CSR 60-2.060 | Highway Safety Division<br><i>(Changed from 11 CSR 60-2.060)</i> |           |          |       | 33 MoReg 756 |

**DEPARTMENT OF NATURAL RESOURCES**

|                 |                                     |               |              |
|-----------------|-------------------------------------|---------------|--------------|
| 10 CSR 10-6.020 | Air Conservation Commission         | 33 MoReg 630  |              |
| 10 CSR 10-6.070 | Air Conservation Commission         | This Issue    |              |
| 10 CSR 10-6.075 | Air Conservation Commission         | This Issue    |              |
| 10 CSR 10-6.080 | Air Conservation Commission         | This Issue    |              |
| 10 CSR 10-6.220 | Air Conservation Commission         | 33 MoReg 643  |              |
| 10 CSR 20-4.010 | Clean Water Commission              | 33 MoReg 198  |              |
| 10 CSR 20-7.031 | Clean Water Commission              | 33 MoReg 205  |              |
| 10 CSR 70-1.010 | Soil and Water Districts Commission | 32 MoReg 2150 | 33 MoReg 741 |
| 10 CSR 70-5.010 | Soil and Water Districts Commission | 32 MoReg 2150 | 33 MoReg 741 |

**DEPARTMENT OF PUBLIC SAFETY**

|                  |  |              |               |
|------------------|--|--------------|---------------|
| 11 CSR 45-4.010  | Missouri Gaming Commission   | 33 MoReg 33  | 33 MoReg 839  |
| 11 CSR 45-4.020  | Missouri Gaming Commission   | 33 MoReg 33R | 33 MoReg 839R |
|                  |  | 33 MoReg 33  | 33 MoReg 839  |
| 11 CSR 45-4.030  | Missouri Gaming Commission   | 33 MoReg 39  | 33 MoReg 841  |
| 11 CSR 45-4.040  | Missouri Gaming Commission   | 33 MoReg 41  | 33 MoReg 841  |
| 11 CSR 45-4.050  | Missouri Gaming Commission   | 33 MoReg 41R |               |
| 11 CSR 45-4.055  | Missouri Gaming Commission<br><i>(Originally filed as 11 CSR 45-4.050)</i> | 33 MoReg 42  | 33 MoReg 842  |
| 11 CSR 45-4.070  | Missouri Gaming Commission   | 33 MoReg 42  | 33 MoReg 842  |
| 11 CSR 45-4.080  | Missouri Gaming Commission   | 33 MoReg 42  | 33 MoReg 843  |
| 11 CSR 45-4.085  | Missouri Gaming Commission   | 33 MoReg 43  | 33 MoReg 843  |
| 11 CSR 45-4.190  | Missouri Gaming Commission   | 33 MoReg 43  | 33 MoReg 843  |
| 11 CSR 45-4.200  | Missouri Gaming Commission   | 33 MoReg 44  | 33 MoReg 843  |
| 11 CSR 45-4.205  | Missouri Gaming Commission   | 33 MoReg 47  | 33 MoReg 844  |
| 11 CSR 45-4.210  | Missouri Gaming Commission   | 33 MoReg 49  | 33 MoReg 845  |
| 11 CSR 45-4.230  | Missouri Gaming Commission   | 33 MoReg 51  | 33 MoReg 845  |
| 11 CSR 45-4.240  | Missouri Gaming Commission   | 33 MoReg 53  | 33 MoReg 846  |
| 11 CSR 45-4.250  | Missouri Gaming Commission   | 33 MoReg 58  | 33 MoReg 847  |
| 11 CSR 45-4.260  | Missouri Gaming Commission   | 33 MoReg 58  | 33 MoReg 847  |
| 11 CSR 45-4.380  | Missouri Gaming Commission   | 33 MoReg 61  | 33 MoReg 847  |
| 11 CSR 45-4.390  | Missouri Gaming Commission   | 33 MoReg 65  | 33 MoReg 850  |
| 11 CSR 45-4.400  | Missouri Gaming Commission   | 33 MoReg 65  | 33 MoReg 850  |
| 11 CSR 45-4.410  | Missouri Gaming Commission   | 33 MoReg 65  | 33 MoReg 850  |
| 11 CSR 45-4.420  | Missouri Gaming Commission   | 33 MoReg 66  | 33 MoReg 850  |
| 11 CSR 45-10.020 | Missouri Gaming Commission   | 33 MoReg 66  | 33 MoReg 850  |
| 11 CSR 45-10.030 | Missouri Gaming Commission   | 33 MoReg 67  | 33 MoReg 851  |
| 11 CSR 45-10.040 | Missouri Gaming Commission   | 33 MoReg 67  | 33 MoReg 851  |
| 11 CSR 45-10.051 | Missouri Gaming Commission   | 33 MoReg 68  | 33 MoReg 851W |
| 11 CSR 45-10.055 | Missouri Gaming Commission   | 33 MoReg 68  | 33 MoReg 852  |
| 11 CSR 45-10.060 | Missouri Gaming Commission   | 33 MoReg 69  | 33 MoReg 852  |
| 11 CSR 45-10.080 | Missouri Gaming Commission   | 33 MoReg 69  | 33 MoReg 852  |
| 11 CSR 45-10.090 | Missouri Gaming Commission   | 33 MoReg 69  | 33 MoReg 852  |
| 11 CSR 45-10.110 | Missouri Gaming Commission   | 33 MoReg 70  | 33 MoReg 852  |
| 11 CSR 45-10.115 | Missouri Gaming Commission   | 33 MoReg 70  | 33 MoReg 853  |
| 11 CSR 45-10.150 | Missouri Gaming Commission   | 33 MoReg 70  | 33 MoReg 853  |
| 11 CSR 60-1.010  | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.010)</i>           |              | 33 MoReg 756  |
| 11 CSR 60-1.020  | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.020)</i>           |              | 33 MoReg 756  |

| Rule Number     | Agency   | Emergency | Proposed | Order | In Addition  |
|-----------------|--|-----------|----------|-------|--------------|
| 11 CSR 60-1.030 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.030)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-1.040 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.040)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-1.050 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.050)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-1.060 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.060)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-1.070 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.070)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-1.080 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.080)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-1.090 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.090)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-1.100 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.100)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-1.110 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-1.110)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-2.010 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-2.010)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-2.020 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-2.020)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-2.030 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-2.030)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-2.040 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-2.040)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-2.050 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-2.050)</i> |           |          |       | 33 MoReg 756 |
| 11 CSR 60-2.060 | Division of Highway Safety<br><i>(Changed to 7 CSR 60-2.060)</i> |           |          |       | 33 MoReg 756 |

#### DEPARTMENT OF REVENUE

|                   |                      |               |               |              |
|-------------------|----------------------|---------------|---------------|--------------|
| 12 CSR 10-23.395  | Director of Revenue  | 32 MoReg 323R |               |              |
| 12 CSR 10-26.020  | Director of Revenue  | 33 MoReg 324  |               |              |
| 12 CSR 10-26.060  | Director of Revenue  | 33 MoReg 324  |               |              |
| 12 CSR 10-41.010  | Director of Revenue  | 32 MoReg 2327 | 32 MoReg 2367 | 33 MoReg 681 |
| 12 CSR 10-110.621 | Director of Revenue  | 32 MoReg 2215 | 32 MoReg 2248 | 33 MoReg 579 |
| 12 CSR 30-1.010   | State Tax Commission | 33 MoReg 325  |               |              |
| 12 CSR 30-1.020   | State Tax Commission | 33 MoReg 325  |               |              |
| 12 CSR 30-2.021   | State Tax Commission | 33 MoReg 326  |               |              |
| 12 CSR 30-3.010   | State Tax Commission | 33 MoReg 326  |               |              |
| 12 CSR 30-4.010   | State Tax Commission | 33 MoReg 327  |               |              |

#### DEPARTMENT OF SOCIAL SERVICES

|                  |                              |               |              |  |
|------------------|------------------------------|---------------|--------------|--|
| 13 CSR 70-1.020  | Division of Medical Services | 32 MoReg 2250 | 33 MoReg 579 |  |
| 13 CSR 70-3.100  | Division of Medical Services | 33 MoReg 328  |              |  |
| 13 CSR 70-3.170  | MO HealthNet Division        | 33 MoReg 785  |              |  |
| 13 CSR 70-3.190  | Division of Medical Services | 33 MoReg 329  |              |  |
| 13 CSR 70-4.030  | Division of Medical Services | 32 MoReg 2251 | 33 MoReg 579 |  |
| 13 CSR 70-4.040  | Division of Medical Services | 32 MoReg 2251 | 33 MoReg 579 |  |
| 13 CSR 70-4.080  | Division of Medical Services | 33 MoReg 542  |              |  |
| 13 CSR 70-4.120  | MO HealthNet Division        | 33 MoReg 440  |              |  |
| 13 CSR 70-5.010  | MO HealthNet Division        | 33 MoReg 545  |              |  |
| 13 CSR 70-15.020 | MO HealthNet Division        | 33 MoReg 545  |              |  |
| 13 CSR 70-45.010 | MO HealthNet Division        | 33 MoReg 789  |              |  |
| 13 CSR 70-92.010 | Division of Medical Services | 33 MoReg 213  |              |  |
| 13 CSR 70-95.010 | Division of Medical Services | 33 MoReg 217  |              |  |
| 13 CSR 70-97.010 | MO HealthNet Division        | 33 MoReg 548  |              |  |
| 13 CSR 70-98.015 | Division of Medical Services | 32 MoReg 2370 | 33 MoReg 681 |  |
| 13 CSR 70-98.020 | Division of Medical Services | 32 MoReg 2371 | 33 MoReg 682 |  |
| 13 CSR 70-99.010 | Division of Medical Services | 32 MoReg 2372 | 33 MoReg 682 |  |

#### ELECTED OFFICIALS

|                  |                    |               |              |  |
|------------------|--------------------|---------------|--------------|--|
| 15 CSR 30-51.170 | Secretary of State | This Issue    |              |  |
| 15 CSR 30-51.172 | Secretary of State | This Issue    |              |  |
| 15 CSR 30-52.030 | Secretary of State | 32 MoReg 2501 | 33 MoReg 742 |  |

#### RETIREMENT SYSTEMS

|                 |   |              |  |  |
|-----------------|---|--------------|--|--|
| 16 CSR 20-2.010 | Missouri Local Government Employees' Retirement System (LAGERS) | 33 MoReg 723 |  |  |
| 16 CSR 20-2.015 | Missouri Local Government Employees' Retirement System (LAGERS) | 33 MoReg 724 |  |  |
| 16 CSR 50-2.110 | The County Employees' Retirement Fund                           | 33 MoReg 333 |  |  |

#### PUBLIC DEFENDER COMMISSION

|                 |                                 |              |  |  |
|-----------------|---------------------------------|--------------|--|--|
| 18 CSR 10-2.010 | Office of State Public Defender | 33 MoReg 333 |  |  |
| 18 CSR 10-4.010 | Office of State Public Defender | 33 MoReg 334 |  |  |

| Rule Number  | Agency  | Emergency  | Proposed      | Order        | In Addition  |
|--|---|--|---------------|--------------|--|
| <b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>                                      |   |  |               |              |  |
| 19 CSR 20-20.020   | Division of Community and Public Health       |  | 32 MoReg 2501 | 33 MoReg 853 |  |
| 19 CSR 20-20.080   | Division of Community and Public Health       |  | 32 MoReg 2503 | 33 MoReg 853 |  |
| 19 CSR 30-20.125   | Division of Regulation and Licensure          |  | 33 MoReg 550  |              |  |
| 19 CSR 30-82.010   | Division of Regulation and Licensure          |  | 33 MoReg 790  |              |  |
| 19 CSR 30-83.010   | Division of Regulation and Licensure          |  | 33 MoReg 792  |              |  |
| 19 CSR 30-84.020   | Division of Regulation and Licensure          |  | 33 MoReg 793  |              |  |
| 19 CSR 30-84.030   | Division of Regulation and Licensure          |  | 33 MoReg 798  |              |  |
| 19 CSR 30-85.022   | Division of Regulation and Licensure          |  | 33 MoReg 812  |              |  |
| 19 CSR 30-85.032   | Division of Regulation and Licensure          |  | 33 MoReg 817  |              |  |
| 19 CSR 30-86.012   | Division of Regulation and Licensure          |  | 33 MoReg 819  |              |  |
| 19 CSR 30-86.022   | Division of Regulation and Licensure          |  | 33 MoReg 820  |              |  |
| 19 CSR 30-86.032   | Division of Regulation and Licensure          |  | 33 MoReg 827  |              |  |
| 19 CSR 30-86.045   | Division of Regulation and Licensure          |  | 33 MoReg 829  |              |  |
| 19 CSR 30-86.047   | Division of Regulation and Licensure          |  | 33 MoReg 830  |              |  |
| 19 CSR 30-88.010   | Division of Regulation and Licensure          |  | 33 MoReg 836  |              |  |
| 19 CSR 40-7.040  | Division of Maternal, Child and Family Health | 32 MoReg 2028                                    | 32 MoReg 2373 | 33 MoReg 742 |  |
| 19 CSR 40-7.050  | Division of Maternal, Child and Family Health | 32 MoReg 2028                                    | 32 MoReg 2374 | 33 MoReg 742 |  |
| 19 CSR 40-7.060  | Division of Maternal, Child and Family Health | 32 MoReg 2029                                    | 32 MoReg 2375 | 33 MoReg 743 |  |
| 19 CSR 40-10.010   | Division of Maternal, Child and Family Health | 32 MoReg 2030<br>32 MoReg 2327T<br>32 MoReg 2328 | 32 MoReg 2376 | 33 MoReg 853 |  |
| 19 CSR 60-50   | Missouri Health Facilities Review Committee   |  |               |              | 33 MoReg 583<br>33 MoReg 756<br>33 MoReg 868<br>This Issue     |
| 19 CSR 73-2.015  | Missouri Board of Nursing Home Administrators | 33 MoReg 334                                     |               |              |  |
| 19 CSR 73-2.020  | Missouri Board of Nursing Home Administrators | 33 MoReg 338                                     |               |              |  |
| 19 CSR 73-2.025  | Missouri Board of Nursing Home Administrators | 33 MoReg 338                                     |               |              |  |
| 19 CSR 73-2.031  | Missouri Board of Nursing Home Administrators | 33 MoReg 339                                     |               |              |  |
| 19 CSR 73-2.050  | Missouri Board of Nursing Home Administrators | 33 MoReg 339                                     |               |              |  |
| 19 CSR 73-2.051  | Missouri Board of Nursing Home Administrators | 33 MoReg 341                                     |               |              |  |
| 19 CSR 73-2.053  | Missouri Board of Nursing Home Administrators | 33 MoReg 341                                     |               |              |  |
| 19 CSR 73-2.055  | Missouri Board of Nursing Home Administrators | 33 MoReg 342                                     |               |              |  |
| 19 CSR 73-2.060  | Missouri Board of Nursing Home Administrators | 33 MoReg 342                                     |               |              |  |
| 19 CSR 73-2.070  | Missouri Board of Nursing Home Administrators | 33 MoReg 343                                     |               |              |  |
| 19 CSR 73-2.080  | Missouri Board of Nursing Home Administrators | 33 MoReg 343                                     |               |              |  |
| 19 CSR 73-2.085  | Missouri Board of Nursing Home Administrators | 33 MoReg 344                                     |               |              |  |
| 19 CSR 73-2.090  | Missouri Board of Nursing Home Administrators | 33 MoReg 344                                     |               |              |  |
| 19 CSR 73-2.120  | Missouri Board of Nursing Home Administrators | 33 MoReg 345                                     |               |              |  |
| <b>DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION</b> |   |  |               |              |  |
| 20 CSR   | Construction Claims Binding Arbitration Cap   |  |               |              | 32 MoReg 667<br>33 MoReg 150                                   |
| 20 CSR   | Medical Malpractice                           |  |               |              | 30 MoReg 481<br>31 MoReg 616<br>32 MoReg 545                   |
| 20 CSR   | Sovereign Immunity Limits                     |  |               |              | 30 MoReg 108<br>30 MoReg 2587<br>31 MoReg 2019<br>33 MoReg 150 |
| 20 CSR   | State Legal Expense Fund Cap                  |  |               |              | 32 MoReg 668<br>33 MoReg 150                                   |
| 20 CSR 10-1.010  | General Administration                        | 32 MoReg 2252                                    | 33 MoReg 743  |              |  |
| 20 CSR 10-1.020  | General Administration                        | 32 MoReg 2255R                                   | 33 MoReg 744R |              |  |
| 20 CSR 10-2.100  | General Administration                        | 32 MoReg 2255                                    | 33 MoReg 744  |              |  |
| 20 CSR 10-2.200  | General Administration                        | 32 MoReg 2256                                    | 33 MoReg 744  |              |  |
| 20 CSR 10-2.300  | General Administration                        | 32 MoReg 2256                                    | 33 MoReg 744  |              |  |
| 20 CSR 10-2.400  | General Administration                        | 32 MoReg 2257                                    | 33 MoReg 744  |              |  |
| 20 CSR 10-2.500  | General Administration                        | 32 MoReg 2260                                    | 33 MoReg 744  |              |  |
| 20 CSR 10-3.100  | General Administration                        | 32 MoReg 2260                                    | 33 MoReg 745  |              |  |
| 20 CSR 10-3.200  | General Administration                        | 32 MoReg 2261                                    | 33 MoReg 745  |              |  |
| 20 CSR 10-3.300  | General Administration                        | 32 MoReg 2261                                    | 33 MoReg 745  |              |  |
| 20 CSR 10-3.900  | General Administration                        | 32 MoReg 2262                                    | 33 MoReg 745  |              |  |
| 20 CSR 10-4.100  | General Administration                        | 32 MoReg 2262                                    | 33 MoReg 745  |              |  |
| 20 CSR 10-4.200  | General Administration                        | 32 MoReg 2263                                    | 33 MoReg 745  |              |  |
| 20 CSR 10-4.300  | General Administration                        | 32 MoReg 2264                                    | 33 MoReg 746  |              |  |
| 20 CSR 10-4.400  | General Administration                        | 32 MoReg 2265                                    | 33 MoReg 746  |              |  |
| 20 CSR 10-4.500  | General Administration                        | 32 MoReg 2265                                    | 33 MoReg 746  |              |  |
| 20 CSR 100-1.010   | Insurer Conduct                               | 32 MoReg 2381                                    |               |              |  |
| 20 CSR 100-1.020   | Insurer Conduct                               | 32 MoReg 2382                                    |               |              |  |
| 20 CSR 100-1.040   | Insurer Conduct                               | 32 MoReg 2382R                                   |               |              |  |
| 20 CSR 100-1.050   | Insurer Conduct                               | 32 MoReg 2382                                    |               |              |  |
| 20 CSR 100-1.100   | Insurer Conduct                               | 32 MoReg 2383                                    |               |              |  |
| 20 CSR 100-1.200   | Insurer Conduct                               | 32 MoReg 2384                                    |               |              |  |
| 20 CSR 100-2.100   | Insurer Conduct                               | 32 MoReg 2384                                    |               |              |  |
| 20 CSR 100-2.200   | Insurer Conduct                               | 32 MoReg 2385                                    |               |              |  |
| 20 CSR 100-2.300   | Insurer Conduct                               | 32 MoReg 2385R                                   |               |              |  |

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| 20 CSR 100-4.010  | Insurer Conduct                           |               | 32 MoReg 2386 |       |             |
| 20 CSR 100-4.020  | Insurer Conduct                           |               | 32 MoReg 2386 |       |             |
| 20 CSR 100-4.030  | Insurer Conduct                           |               | 32 MoReg 2387 |       |             |
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| 20 CSR 100-5.010  | Insurer Conduct                           |               | 32 MoReg 2388 |       |             |
| 20 CSR 100-5.020  | Insurer Conduct                           |               | 32 MoReg 2388 |       |             |
| 20 CSR 100-6.100  | Insurer Conduct                           |               | 32 MoReg 2389 |       |             |
| 20 CSR 100-7.002  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-7.005  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-7.010  | Insurer Conduct                           | 32 MoReg 2390 |               |       |             |
| 20 CSR 100-8.002  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.005  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.008  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.010  | Insurer Conduct                           | 32 MoReg 2390 |               |       |             |
| 20 CSR 100-8.012  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.014  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.015  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.016  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.017  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.018  | Insurer Conduct                           | This Issue    |               |       |             |
| 20 CSR 100-8.020  | Insurer Conduct                           | 32 MoReg 2390 |               |       |             |
| 20 CSR 100-8.040  | Insurer Conduct                           | 32 MoReg 2391 |               |       |             |
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| 20 CSR 200-18.110 | Insurance Solvency and Company Regulation | 33 MoReg 559  |               |       |             |
| 20 CSR 200-18.120 | Insurance Solvency and Company Regulation | 33 MoReg 561  |               |       |             |
| 20 CSR 200-19.020 | Insurance Solvency and Company Regulation | 32 MoReg 2393 |               |       |             |
| 20 CSR 200-19.050 | Insurance Solvency and Company Regulation | 32 MoReg 2394 |               |       |             |
| 20 CSR 200-19.060 | Insurance Solvency and Company Regulation | 32 MoReg 2396 |               |       |             |
| 20 CSR 200-20.010 | Insurance Solvency and Company Regulation | 32 MoReg 2505 |               |       |             |
| 20 CSR 200-20.020 | Insurance Solvency and Company Regulation | 32 MoReg 2505 |               |       |             |
| 20 CSR 200-20.030 | Insurance Solvency and Company Regulation | 32 MoReg 2505 |               |       |             |
| 20 CSR 200-20.040 | Insurance Solvency and Company Regulation | 32 MoReg 2508 |               |       |             |
| 20 CSR 200-20.050 | Insurance Solvency and Company Regulation | 32 MoReg 2511 |               |       |             |
| 20 CSR 200-20.060 | Insurance Solvency and Company Regulation | 32 MoReg 2511 |               |       |             |
| 20 CSR 400-2.065  | Life, Annuities and Health                | 32 MoReg 2398 |               |       |             |
| 20 CSR 400-4.050  | Life, Annuities and Health                | 32 MoReg 2512 |               |       |             |
| 20 CSR 400-4.100  | Life, Annuities and Health                | 32 MoReg 2513 |               |       |             |
| 20 CSR 400-4.110  | Life, Annuities and Health                | 32 MoReg 2532 |               |       |             |
| 20 CSR 400-4.120  | Life, Annuities and Health                | 32 MoReg 2535 |               |       |             |
| 20 CSR 400-5.305  | Life, Annuities and Health                | 32 MoReg 2537 |               |       |             |
| 20 CSR 400-5.310  | Life, Annuities and Health                | 32 MoReg 2538 |               |       |             |
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| 20 CSR 500-7.030  | Property and Casualty                     | 33 MoReg 507  | 33 MoReg 563  |       |             |
| 20 CSR 500-7.050  | Property and Casualty                     | 33 MoReg 508  | 33 MoReg 563  |       |             |
| 20 CSR 500-7.060  | Property and Casualty                     | 33 MoReg 509  | 33 MoReg 566  |       |             |
| 20 CSR 500-7.070  | Property and Casualty                     | 33 MoReg 510  | 33 MoReg 566  |       |             |
| 20 CSR 500-7.090  | Property and Casualty                     | 33 MoReg 510  | 33 MoReg 567  |       |             |
| 20 CSR 500-7.100  | Property and Casualty                     | 33 MoReg 511  | 33 MoReg 567  |       |             |
| 20 CSR 500-7.130  | Property and Casualty                     | 33 MoReg 514  | 33 MoReg 570  |       |             |
| 20 CSR 500-7.200  | Property and Casualty                     | 33 MoReg 515  | 33 MoReg 571  |       |             |
| 20 CSR 600-1.030  | Statistical Reporting                     | 32 MoReg 1023 | 32 MoReg 1034 |       |             |
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| 20 CSR 700-1.010  | Licensing                                 |               | 33 MoReg 72   |       |             |
| 20 CSR 700-1.012  | Licensing                                 |               | 33 MoReg 76   |       |             |
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| 20 CSR 700-1.025  | Licensing                                 |               | 33 MoReg 77   |       |             |
| 20 CSR 700-1.030  | Licensing                                 |               | 33 MoReg 77R  |       |             |
| 20 CSR 700-1.040  | Licensing                                 |               | 33 MoReg 77   |       |             |
| 20 CSR 700-1.100  | Licensing                                 |               | 33 MoReg 78   |       |             |
| 20 CSR 700-1.110  | Licensing                                 |               | 33 MoReg 80R  |       |             |
| 20 CSR 700-1.140  | Licensing                                 |               | 33 MoReg 80   |       |             |
| 20 CSR 700-1.145  | Licensing                                 |               | 33 MoReg 82   |       |             |
| 20 CSR 700-1.146  | Licensing                                 |               | 33 MoReg 82   |       |             |
| 20 CSR 700-1.147  | Licensing                                 |               | 33 MoReg 85   |       |             |
| 20 CSR 700-1.148  | Licensing                                 |               | 33 MoReg 88   |       |             |
| 20 CSR 700-1.152  | Licensing                                 |               | 33 MoReg 91   |       |             |
| 20 CSR 700-2.005  | Licensing                                 |               | 33 MoReg 93   |       |             |
| 20 CSR 700-2.100  | Licensing                                 |               | 33 MoReg 93   |       |             |
| 20 CSR 700-2.300  | Licensing                                 |               | 33 MoReg 94   |       |             |
| 20 CSR 700-3.200  | Licensing                                 |               | 33 MoReg 94   |       |             |
| 20 CSR 700-4.100  | Licensing                                 |               | 33 MoReg 96   |       |             |
| 20 CSR 700-6.100  | Licensing                                 |               | 33 MoReg 96   |       |             |
| 20 CSR 700-6.150  | Licensing                                 |               | 33 MoReg 97   |       |             |
| 20 CSR 700-6.160  | Licensing                                 |               | 33 MoReg 97   |       |             |
| 20 CSR 700-6.170  | Licensing                                 |               | 33 MoReg 98   |       |             |
| 20 CSR 700-6.200  | Licensing                                 |               | 33 MoReg 98   |       |             |
| 20 CSR 700-6.250  | Licensing                                 |               | 33 MoReg 99   |       |             |

**Rule Changes Since Update**

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| 20 CSR 700-8.005   | Licensing  |                               | 33 MoReg 575  |       |             |
| 20 CSR 700-8.100   | Licensing  | 33 MoReg 519                  | 33 MoReg 576  |       |             |
| 20 CSR 700-8.150   | Licensing  | 33 MoReg 520                  | 33 MoReg 577  |       |             |
| 20 CSR 700-8.160   | Licensing  | 33 MoReg 521                  | 33 MoReg 577  |       |             |
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| 20 CSR 800-1.020   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2074                 | 33 MoReg 746  |       |             |
| 20 CSR 800-1.030   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2075                 | 33 MoReg 746  |       |             |
| 20 CSR 800-1.040   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2076                 | 33 MoReg 747  |       |             |
| 20 CSR 800-1.050   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2077                 | 33 MoReg 747  |       |             |
| 20 CSR 800-1.060   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2078                 | 33 MoReg 747  |       |             |
| 20 CSR 800-1.070   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2078                 | 33 MoReg 747  |       |             |
| 20 CSR 800-1.080   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2079                 | 33 MoReg 747  |       |             |
| 20 CSR 800-1.090   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2080                 | 33 MoReg 748  |       |             |
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| 20 CSR 800-1.110   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2084                 | 33 MoReg 748  |       |             |
| 20 CSR 800-1.120   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2085                 | 33 MoReg 748  |       |             |
| 20 CSR 800-1.130   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2085                 | 33 MoReg 748  |       |             |
| 20 CSR 800-1.140   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2086                 | 33 MoReg 748  |       |             |
| 20 CSR 800-2.010   | General Counsel  | 32 MoReg 2086                 | 33 MoReg 749  |       |             |
| 20 CSR 800-3.010   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2087                 | 33 MoReg 749  |       |             |
| 20 CSR 800-3.020   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2088                 | 33 MoReg 749  |       |             |
| 20 CSR 800-3.040   | Administrative Procedures under the Insurance Laws   | 32 MoReg 2089                 | 33 MoReg 749  |       |             |
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| 20 CSR 2030-6.015  | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | 33 MoReg 444                  |               |       |             |
| 20 CSR 2030-8.020  | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | 33 MoReg 730                  |               |       |             |
| 20 CSR 2030-10.010 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | 33 MoReg 733                  |               |       |             |
| 20 CSR 2030-11.015 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | 33 MoReg 733                  |               |       |             |
| 20 CSR 2030-11.035 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | 33 MoReg 447                  |               |       |             |
| 20 CSR 2030-21.020 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | 33 MoReg 451                  |               |       |             |
| 20 CSR 2120-2.060  | State Board of Embalmers and Funeral Directors   | 32 MoReg 2540                 | 33 MoReg 749  |       |             |
| 20 CSR 2120-2.070  | State Board of Embalmers and Funeral Directors   | 32 MoReg 2542                 | 33 MoReg 750  |       |             |
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| 20 CSR 2145-1.030  | Missouri Board of Geologist Registration   | 32 MoReg 2545R                | 33 MoReg 750R |       |             |
| 20 CSR 2145-2.010  | Missouri Board of Geologist Registration   | 32 MoReg 2549R                | 33 MoReg 750R |       |             |
| 20 CSR 2145-2.020  | Missouri Board of Geologist Registration   | 32 MoReg 2549                 | 33 MoReg 750  |       |             |
| 20 CSR 2145-2.030  | Missouri Board of Geologist Registration   | 32 MoReg 2549                 | 33 MoReg 751  |       |             |
| 20 CSR 2145-2.040  | Missouri Board of Geologist Registration   | 32 MoReg 2550                 | 33 MoReg 751  |       |             |
| 20 CSR 2145-2.050  | Missouri Board of Geologist Registration   | 32 MoReg 2554                 | 33 MoReg 751  |       |             |
| 20 CSR 2145-2.051  | Missouri Board of Geologist Registration   | 32 MoReg 2554                 | 33 MoReg 751  |       |             |
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| 20 CSR 2145-2.060  | Missouri Board of Geologist Registration   | 32 MoReg 2558                 | 33 MoReg 751  |       |             |
| 20 CSR 2145-2.070  | Missouri Board of Geologist Registration   | 32 MoReg 2558                 | 33 MoReg 752  |       |             |
| 20 CSR 2145-2.080  | Missouri Board of Geologist Registration   | 32 MoReg 2559                 | 33 MoReg 752  |       |             |
| 20 CSR 2145-2.090  | Missouri Board of Geologist Registration   | 32 MoReg 2559                 | 33 MoReg 752  |       |             |
| 20 CSR 2145-2.100  | Missouri Board of Geologist Registration   | 32 MoReg 2560                 | 33 MoReg 752  |       |             |
| 20 CSR 2145-3.010  | Missouri Board of Geologist Registration   | 32 MoReg 2560                 | 33 MoReg 752  |       |             |
| 20 CSR 2145-4.030  | Missouri Board of Geologist Registration   | 32 MoReg 2561                 | 33 MoReg 753  |       |             |
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| 20 CSR 2150-5.100 | State Board of Registration for the Healing Arts |               | 33 MoReg 229   |               |             |
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| 20 CSR 2150-7.135 | State Board of Registration for the Healing Arts | 32 MoReg 2334 | 32 MoReg 2400  | 33 MoReg 860  |             |
| 20 CSR 2150-7.136 | State Board of Registration for the Healing Arts | 32 MoReg 2336 | 32 MoReg 2401  | 33 MoReg 861  |             |
| 20 CSR 2150-7.137 | State Board of Registration for the Healing Arts |               | 32 MoReg 2405  | 33 MoReg 862  |             |
| 20 CSR 2150-7.140 | State Board of Registration for the Healing Arts |               | 32 MoReg 2408  | 33 MoReg 863  |             |
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| 20 CSR 2220-4.010 | State Board of Pharmacy                          |               | 33 MoReg 671   |               |             |
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| 20 CSR 2233-2.030 | State Committee of Marital and Family Therapists |               | 32 MoReg 2568  | 33 MoReg 753  |             |
| 20 CSR 2233-2.040 | State Committee of Marital and Family Therapists |               | 32 MoReg 2571  | 33 MoReg 754  |             |
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| 20 CSR 2245-2.050 | Real Estate Appraisers                           |               | 32 MoReg 2411  | 33 MoReg 682  |             |
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| 20 CSR 2250-1.010 | Missouri Real Estate Commission                  |               | 32 MoReg 2266  | 33 MoReg 580  |             |
| 20 CSR 2250-3.010 | Missouri Real Estate Commission                  |               | 32 MoReg 2266  | 33 MoReg 580  |             |
| 20 CSR 2250-4.020 | Missouri Real Estate Commission                  |               | 32 MoReg 2267  | 33 MoReg 580  |             |
| 20 CSR 2250-4.040 | Missouri Real Estate Commission                  |               | 32 MoReg 2268  | 33 MoReg 580  |             |
| 20 CSR 2250-4.050 | Missouri Real Estate Commission                  |               | 32 MoReg 2268  | 33 MoReg 580  |             |
| 20 CSR 2250-4.070 | Missouri Real Estate Commission                  |               | 32 MoReg 2269  | 33 MoReg 580  |             |
| 20 CSR 2250-4.080 | Missouri Real Estate Commission                  |               | 32 MoReg 2270R | 33 MoReg 581R |             |
|                   |  |               | 32 MoReg 2270  | 33 MoReg 581  |             |
| 20 CSR 2250-5.020 | Missouri Real Estate Commission                  |               | 32 MoReg 2274  | 33 MoReg 581  |             |
| 20 CSR 2250-7.010 | Missouri Real Estate Commission                  |               | 32 MoReg 2278  | 33 MoReg 581  |             |
| 20 CSR 2250-7.080 | Missouri Real Estate Commission                  |               | 32 MoReg 2278  | 33 MoReg 581  |             |

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| 20 CSR 2250-7.090  | Missouri Real Estate Commission    |                  | 32 MoReg 2278   | 33 MoReg 582  |                    |
| 20 CSR 2250-8.070  | Missouri Real Estate Commission    |                  | 32 MoReg 2279   | 33 MoReg 582  |                    |
| 20 CSR 2250-8.090  | Missouri Real Estate Commission    |                  | 32 MoReg 2280   | 33 MoReg 582  |                    |
| 20 CSR 2250-8.210  | Missouri Real Estate Commission    |                  | 32 MoReg 2280R  | 33 MoReg 582R |                    |
| 20 CSR 2263-2.031  | State Committee for Social Workers |                  | 32 MoReg 2090   | 33 MoReg 682W |                    |
| 20 CSR 2270-2.052  | Missouri Veterinary Medical Board  |                  | 32 MoReg 2412   | 33 MoReg 683  |                    |
| 20 CSR 2270-2.060  | Missouri Veterinary Medical Board  |                  | 32 MoReg 2412   | 33 MoReg 683  |                    |
| 20 CSR 2270-2.070  | Missouri Veterinary Medical Board  |                  | 32 MoReg 2413   | 33 MoReg 683  |                    |
| 20 CSR 2270-4.031  | Missouri Veterinary Medical Board  | This Issue       |                 |               |                    |
| 20 CSR 2270-4.041  | Missouri Veterinary Medical Board  | This Issue       |                 |               |                    |
| 20 CSR 2270-4.060  | Missouri Veterinary Medical Board  |                  | 32 MoReg 2413   | 33 MoReg 683  |                    |
| 20 CSR 2270-5.041  | Missouri Veterinary Medical Board  |                  | 32 MoReg 2415   | 33 MoReg 683  |                    |
| 20 CSR 2270-6.011  | Missouri Veterinary Medical Board  |                  | 32 MoReg 2415   | 33 MoReg 683  |                    |

**MISSOURI CONSOLIDATED HEALTH CARE PLAN**

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| 22 CSR 10-2.010 | Health Care Plan | 33 MoReg 314 | 33 MoReg 345 |
| 22 CSR 10-2.020 | Health Care Plan | 33 MoReg 314 | 33 MoReg 346 |
| 22 CSR 10-3.010 | Health Care Plan | 33 MoReg 315 | 33 MoReg 346 |
| 22 CSR 10-3.020 | Health Care Plan | 33 MoReg 315 | 33 MoReg 347 |

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| <b>Department of Agriculture</b>   |  |                         |                         |
| Weights and Measures   |  |                         |                         |
| 2 CSR 90-30.040  | Quality Standards for Motor Fuels . . . . .  | 33 MoReg 399 . . . . .  | Jan. 14, 2008 . . . . . |
| Office of the Director   |  |                         | July 11, 2008           |
| 2 CSR 110-3.010  | Description of General Organization; Definitions;<br>Requirements and Exemptions; Enforcement Provisions . . . | 33 MoReg 311 . . . . .  | Jan. 1, 2008 . . . . .  |
|  |  |                         | June 28, 2008           |
| <b>Department of Elementary and Secondary Education</b>                              |  |                         |                         |
| Missouri Commission for the Deaf and Hard of Hearing                                 |  |                         |                         |
| 5 CSR 100-200.170  | Skill Level Standards . . . . .  | 33 MoReg 312 . . . . .  | Jan. 1, 2008 . . . . .  |
| <b>Department of Transportation</b>  |  |                         |                         |
| Motor Carrier Operations   |  |                         |                         |
| 7 CSR 10-6.060   | Nonconforming Signs . . . . .  | 32 MoReg 2465 . . . . . | Dec. 3, 2007 . . . . .  |
|  |  |                         | May 30, 2008            |
| <b>Department of Public Safety</b>   |  |                         |                         |
| Division of Fire Safety  |  |                         |                         |
| 11 CSR 40-7.010  | Blasting—Licensing, Registration, Notification,<br>Requirements, and Penalties . . . . .                       | Next Issue . . . . .    | July 1, 2008 . . . . .  |
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| <b>Department of Revenue</b>   |  |                         |                         |
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| 12 CSR 10-41.010   | Annual Adjusted Rate of Income . . . . .   | 32 MoReg 2327 . . . . . | Jan. 1, 2008 . . . . .  |
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| <b>Public Defender Commission</b>  |  |                         |                         |
| Office of State Public Defender  |  |                         |                         |
| 18 CSR 10-4.010  | Rule for the Acceptance of Cases and Payment<br>of Private Counsel Litigation Costs . . . . .                  | 33 MoReg 313 . . . . .  | Dec. 28, 2007 . . . . . |
|  |  |                         | June 30, 2008           |
| <b>Department of Insurance, Financial Institutions and Professional Registration</b> |  |                         |                         |
| Property and Casualty  |  |                         |                         |
| 20 CSR 500-7.020   | Scope and Definitions . . . . .  | 33 MoReg 507 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-7.030   | General Instructions . . . . .   | 33 MoReg 507 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-7.050   | Disclosure of Premiums and Charges . . . . .   | 33 MoReg 508 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-7.060   | Disclosure of Coverage Limitation . . . . .  | 33 MoReg 509 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-7.070   | Affiliated Business Arrangements . . . . .   | 33 MoReg 510 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-7.090   | Special Circumstances for Policy Delay . . . . .   | 33 MoReg 510 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-7.100   | Rate Schedules . . . . .   | 33 MoReg 511 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-7.130   | Insurance and Closing Protection Form Filings . . . . .  | 33 MoReg 514 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-7.200   | Standards For Policy Issuance . . . . .  | 33 MoReg 515 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-8.100   | Applications for License . . . . .   | 33 MoReg 519 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-8.150   | Examination Requirements . . . . .   | 33 MoReg 520 . . . . .  | Jan. 28, 2008 . . . . . |
| 20 CSR 500-8.160   | Continuing Education . . . . .   | 33 MoReg 521 . . . . .  | Jan. 28, 2008 . . . . . |
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| <b>Missouri Consolidated Health Care Plan</b>  |  |                         |                         |
| Health Care Plan   |  |                         |                         |
| 22 CSR 10-2.010  | Definitions . . . . .  | 33 MoReg 314 . . . . .  | Jan. 1, 2008 . . . . .  |
| 22 CSR 10-2.020  | Subscriber Agreement and General Membership Provisions .   | 33 MoReg 314 . . . . .  | Jan. 1, 2008 . . . . .  |
| 22 CSR 10-3.010  | Definitions . . . . .  | 33 MoReg 315 . . . . .  | Jan. 1, 2008 . . . . .  |
| 22 CSR 10-3.020  | Subscriber Agreement and General Membership Provisions .   | 33 MoReg 315 . . . . .  | Jan. 1, 2008 . . . . .  |
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| <b>08-01</b> | Establishes the post of Missouri Poet Laureate  | January 8, 2008   | 33 MoReg 401 |
| <b>08-02</b> | Activates the Missouri State Emergency Operations Plan in the aftermath of severe weather that began on January 7, 2008   | January 11, 2008  | 33 MoReg 403 |
| <b>08-03</b> | Activates the state militia in response to the aftermath of severe storms that began on January 7, 2008   | January 11, 2008  | 33 MoReg 405 |
| <b>08-04</b> | Transfers authority of the sexual assault evidentiary kit and exam payment program from the Department of Health and Senior Services to Department of Public Safety by Type 1 transfer  | February 6, 2008  | 33 MoReg 619 |
| <b>08-05</b> | Extends Executive Orders, 07-34, 07-36 and 07-39 through March 15, 2008 for the purpose of continuing the cleanup efforts in affected communities   | February 11, 2008 | 33 MoReg 621 |
| <b>08-06</b> | Orders and directs the Adjutant General of the state of Missouri, or his designee, to call and order forthwith into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri to protect life and property | February 12, 2008 | 33 MoReg 623 |
| <b>08-07</b> | Declares that a state of emergency exists in the state of Missouri.   | February 12, 2008 | 33 MoReg 625 |
| <b>08-08</b> | Gives Department of Natural Resources authority to suspend regulations in the aftermath of severe weather that began on February 10, 2008   | February 20, 2008 | 33 MoReg 715 |
| <b>08-09</b> | Establishes the Missouri Civil War Sesquicentennial Commission  | March 6, 2008     | 33 MoReg 783 |
| <b>08-10</b> | Declares a state of emergency exists and directs the Missouri State Emergency Operations Plan be activated  | March 18, 2008    | This Issue   |
| <b>08-11</b> | Calls organized militia into active service   | March 18, 2008    | This Issue   |
| <b>08-12</b> | Authorizes the Department of Natural Resources to temporarily waive or suspend rules during the period of the emergency   | March 21, 2008    | This Issue   |
| <b>08-13</b> | Expands the number of state employees allowed to participate in the Missouri Mentor Initiative  | March 27, 2008    | This Issue   |
| <b>08-14</b> | Declares a state of emergency exists and directs the Missouri State Emergency Operations Plan be activated  | April 1, 2008     | This Issue   |
| <b>08-15</b> | Calls organized militia into active service   | April 1, 2008     | This Issue   |

**2007**

|              |   |                   |              |
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| <b>07-01</b> | Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies   | January 2, 2007   | 32 MoReg 295 |
| <b>07-02</b> | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated  | January 13, 2007  | 32 MoReg 298 |
| <b>07-03</b> | Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities  | January 13, 2007  | 32 MoReg 299 |
| <b>07-04</b> | Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period | January 13, 2007  | 32 MoReg 301 |
| <b>07-05</b> | Transfers the Breath Alcohol Program from the Missouri Department of Health and Senior Services to the Missouri Department of Transportation  | January 30, 2007  | 32 MoReg 406 |
| <b>07-06</b> | Transfers the function of collecting surplus lines taxes from the Missouri Department of Insurance, Financial Institutions and Professional Registration to the Department of Revenue   | January 30, 2007  | 32 MoReg 408 |
| <b>07-07</b> | Transfers the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations to the Missouri Department of Public Safety   | January 30, 2007  | 32 MoReg 410 |
| <b>07-08</b> | Extends the declaration of emergency contained in Executive Order 07-02 and the terms of Executive Order 07-04 through May 15, 2007, for continuing cleanup efforts from a severe storm that began on January 12  | February 6, 2007  | 32 MoReg 524 |
| <b>07-09</b> | Orders the Commissioner of Administration to take certain specific cost saving actions with the OA Vehicle Fleet  | February 23, 2007 | 32 MoReg 571 |
| <b>07-10</b> | Reorganizes the Governor's Advisory Council on Physical Fitness and Health and relocates it to the Department of Health and Senior Services   | February 23, 2007 | 32 MoReg 573 |
| <b>07-11</b> | Designates members of staff with supervisory authority over selected state agencies   | February 23, 2007 | 32 MoReg 576 |
| <b>07-12</b> | Orders agencies to support measures that promote transparency in health care  | March 2, 2007     | 32 MoReg 625 |

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**Filed Date**

**Publication**

|              |  |                    |               |
|--------------|--|--------------------|---------------|
| <b>07-13</b> | Orders agencies to audit contractors to ensure that they employ people who are eligible to work in the United States, and requires future contracts to contain language allowing the state to cancel the contract if the contractor has knowingly employed individuals who are not eligible to work in the United States     | March 6, 2007      | 32 MoReg 627  |
| <b>07-14</b> | Creates and establishes the Missouri Mentor Initiative, under which up to 200 full-time employees of the state of Missouri are eligible for one hour per week of paid approved work to mentor in Missouri public primary and secondary schools up to 40 hours annually   | April 11, 2007     | 32 MoReg 757  |
| <b>07-15</b> | Gov. Matt Blunt increases the membership of the Mental Health Transformation Working Group from eighteen to twenty-four members  | April 23, 2007     | 32 MoReg 839  |
| <b>07-16</b> | Creates and establishes the Governor's "Crime Laboratory Review Commission" within the Department of Public Safety   | June 7, 2007       | 32 MoReg 1090 |
| <b>07-17</b> | Gov. Matt Blunt activates portions of the Missouri National Guard in response to severe storms and potential flooding  | May 7, 2007        | 32 MoReg 963  |
| <b>07-18</b> | Gov. Matt Blunt declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated in response to severe storms that began May 5  | May 7, 2007        | 32 MoReg 965  |
| <b>07-19</b> | Gov. Matt Blunt authorizes the departments and agencies of the Executive Branch of Missouri state government to adopt a program by which employees may donate a portion of their annual leave benefits to other employees who have experienced personal loss due to the 2007 flood or who have volunteered in a flood relief | May 7, 2007        | 32 MoReg 967  |
| <b>07-20</b> | Gov. Matt Blunt gives the director of the Department of Natural Resources the authority to suspend regulations in the aftermath of a flood emergency   | May 7, 2007        | 32 MoReg 969  |
| <b>07-21</b> | Orders agencies to evaluate the performance of all employees pursuant to the procedures of the Division of Personnel within the Office of Administration and that those evaluations be recorded in the Productivity, Excellence and Results for Missouri (PERforM) State Employee Online Appraisal System                    | July 11, 2007      | 32 MoReg 1389 |
| <b>07-22</b> | Declares a State of Emergency and directs the Missouri State Emergency Operations Plan to be activated due to severe weather that began on June 4, 2007  | July 3, 2007       | 32 MoReg 1391 |
| <b>07-23</b> | Activates the state militia in response to the aftermath of severe storms that began on June 4, 2007   | July 3, 2007       | 32 MoReg 1393 |
| <b>07-24</b> | Orders the Commissioner of Administration to establish the Missouri Accountability Portal as a free Internet-based tool allowing citizens to view the financial transactions related to the purchase of goods and services and the distribution of funds for state programs  | July 11, 2007      | 32 MoReg 1394 |
| <b>07-25</b> | Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operations Plan be activated  | August 24, 2007    | 32 MoReg 1902 |
| <b>07-26</b> | Creates a Director/Administrator level multi-agency task force to address the concerns associated with feral hogs  | August 30, 2007    | 32 MoReg 1904 |
| <b>07-27</b> | Declares a drought alert for the counties of Bolinger, Butler, Cape Girardeau, Carter, Dunklin, Franklin, Iron, Jefferson, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, St. Charles, St. Francois, St. Louis, Ste. Genevieve, Scott, Stoddard, Washington, and Wayne                                 | September 7, 2007  | 32 MoReg 2035 |
| <b>07-28</b> | The Executive Order denoted 05-16 is hereby rescinded  | September 10, 2007 | 32 MoReg 2037 |
| <b>07-29</b> | Amends the membership and the duties of the Governor's Advisory Council on Aging   | September 17, 2007 | 32 MoReg 2038 |
| <b>07-30</b> | Lists members of staff having supervisory authority over departments, divisions or agencies  | September 13, 2007 | 32 MoReg 2041 |
| <b>07-31</b> | Creates the Rural High-Speed Internet Access Task Force to deal with the lack of high-speed Internet access in rural Missouri communities  | October 10, 2007   | 32 MoReg 2217 |
| <b>07-32</b> | Declares that state offices will be closed on Friday, November 23, 2007  | October 23, 2007   | 32 MoReg 2339 |
| <b>07-33</b> | Declares that state offices will be closed on Monday December 24, 2007   | December 4, 2007   | 33 MoReg 185  |
| <b>07-34</b> | Declares a state of emergency and directs the Missouri State Emergency Operations Plan to be activated due to severe weather that began on December 8, 2007  | December 9, 2007   | 33 MoReg 186  |
| <b>07-35</b> | Activates the state militia in response to the aftermath of severe storms that began on December 8, 2007   | December 9, 2007   | 33 MoReg 188  |
| <b>07-36</b> | Gives the director of the Department of Natural Resources the authority to suspend regulations in the aftermath of severe weather that began on December 8, 2007   | December 10, 2007  | 33 MoReg 190  |

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| <b>Emergency Declaration</b> | Declares an emergency concerning damage to and danger of the Jefferson Street Overpass, also known as State Bridge No. A1308, in Jefferson City and directs the Emergency Declaration to continue until the overpass has been removed and replaced | December 10, 2007 | 33 MoReg 192       |
| <b>07-37</b>                 | Designates members of staff with supervisory authority over selected state agencies  | December 26, 2007 | 33 MoReg 317       |
| <b>07-38</b>                 | Extends Executive Order 07-01 through January 1, 2009  | December 29, 2007 | 33 MoReg 319       |
| <b>07-39</b>                 | Extends Executive Orders 07-34 and 07-36 through February 15, 2008   | December 28, 2007 | 33 MoReg 321       |

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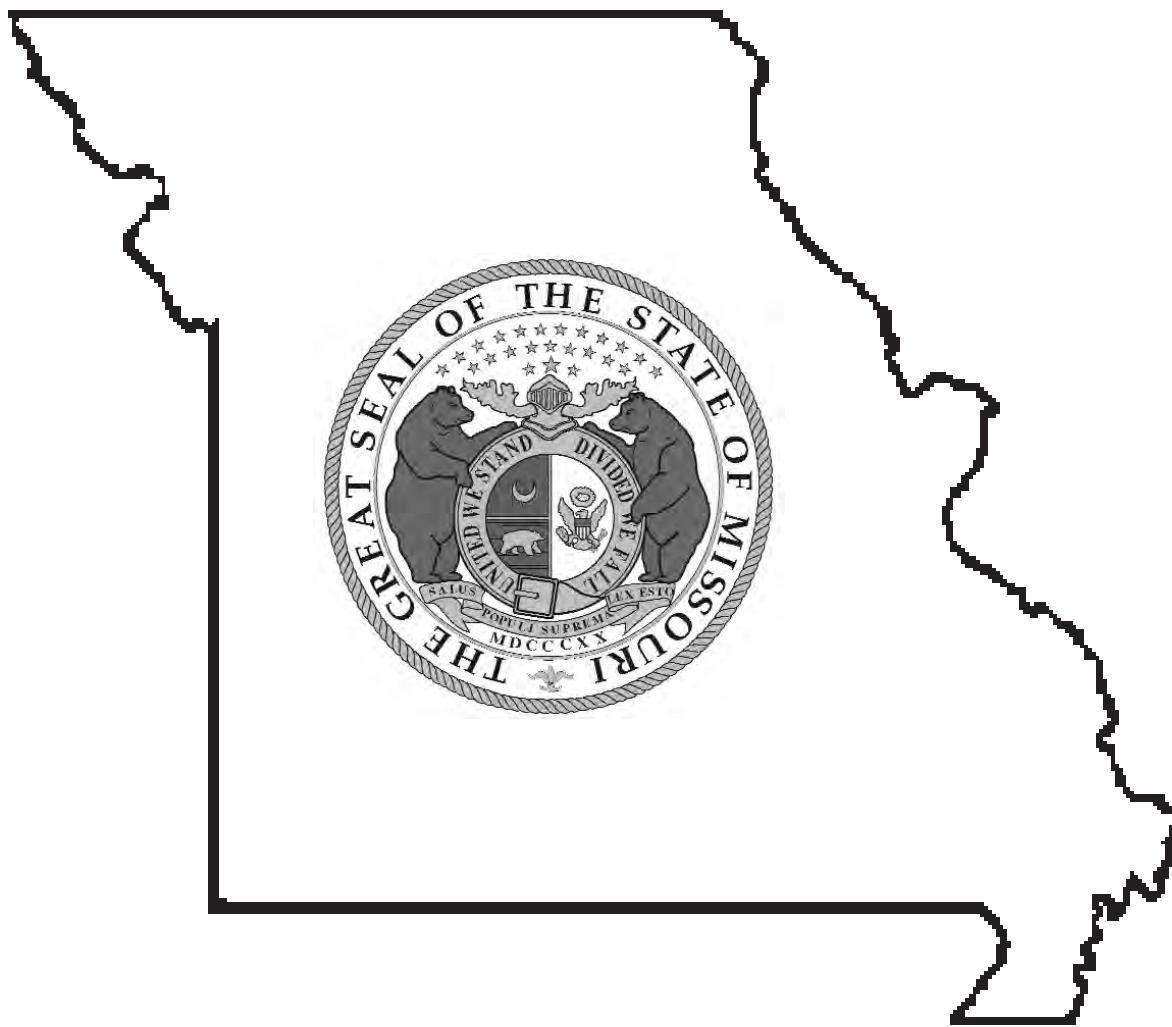
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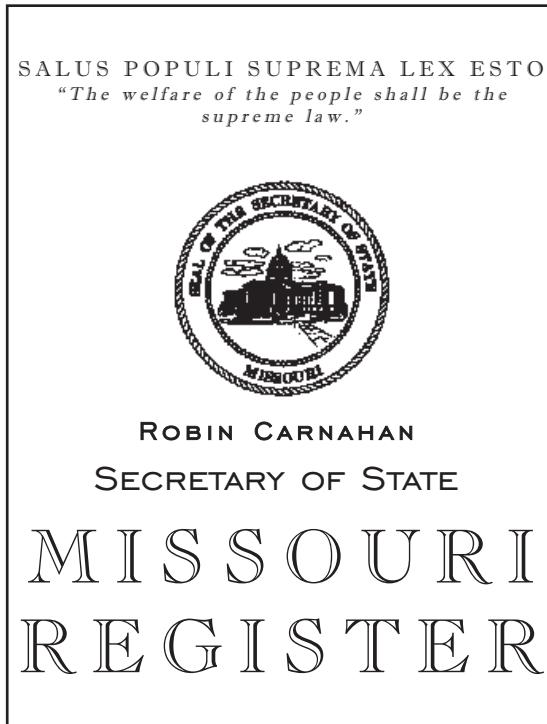


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